

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF

JUNE 25, 1999

(Published July 3, 1999,
in Finance and Commerce)

Council Chamber

Minneapolis, Minnesota

June 25, 1999 – 9:30 a.m.

President Cherryhomes in the Chair.

Present—Council Members Lane, McDonald,
Johnson, Thurber, Ostrow, Campbell, Biernat,
Niland, Goodman, Colvin Roy, Herron, Mead,
President Cherryhomes.

Campbell moved acceptance of the minutes
of the regular meeting and the adjourned session
held June 11, and the adjourned session held
June 18, 1999. Seconded.

Adopted upon a voice vote.

Campbell moved referral of petitions and
communications and reports of the City officers to
proper Council committees and departments.
Seconded.

Adopted upon a voice vote.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (264915)

Block E/Brookfield Management Services
LLC: Request to authorize amendments to
Contract for Private Redevelopment re defer
provisions of contract relating to hotel
commitments; Request to authorize assignment
of contract to McCaffery Interests; Block E Design
Development Proposal.

COUNCIL MEMBER CHERRYHOMES
(264916)

Arts Commission: Appointment of Marna
Anderson.

COMMUNITY DEVELOPMENT and INTERGOVERNMENTAL RELATIONS

(See Rep):

COORDINATOR (264917)

CDBG & HOME Programs: Resolution to MN
Congressional Delegation encouraging increased
funding.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET:

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (264918)

Status Report on Pending & Unfunded
Projects.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (264919)

Bedford St Townhouse Project: Resolution
adopting Modification No. 6 to SEMI Area
Redevelopment Plan & Modification No. 1 to the
SEMI Phase 3 Tax Increment Finance Plan.

Mann Theater: Appropriation increase for
project/property management, tenant relocation
activities, etc.; Direction to staff to prepare a
MCDA resolution acknowledging Mann Theater
costs as authorized Common Project Tax
increment expenditures.

SEMI Area: Increase MILES allocation to
SEMI Phase I; Appropriation increases for
roadway funding; Direction to staff to investigate
sale of bonds for constructions of roadways.

Riverside Homes Limited Partnership:
Resolution approving pledge of funds to provide
credit enhancement; Restructure of 2nd mortgage
debt into single debt; Forgive \$1,469,792 of Cedar
Riverside tax increment debt for 32
homeownership units.

Light Rail Transit System: Approve
programmatic initiative to prepare guidelines for

Transit Oriented Development (TOD) Program to support redevelopment initiatives in station areas in Hiawatha LRT Corridor; Designate \$4 million of discretionary Common Project Reserve funds as set-aside for proposed TOD Program.

COORDINATOR (264920)

Electric Machinery Co: Application for MN Investment Program funds to MN Dept of Trade & Economic Development.

HEALTH AND HUMAN SERVICES

(See Rep):

CIVIL RIGHTS (264921)

Small and Underutilized Business Enterprise Program: Recommended changes to Small Business Enterprise Program by amending Title 16 of Code by adding a new Chapter 423.

HEALTH AND FAMILY SUPPORT SERVICES (264922)

Curfew Truancy Center: Issue Fund Availability Notice to Minneapolis Urban League for operation of Center through May 31, 2000.

Welfare-to-Work: Execute Joint Powers Agreement with Hennepin County to jointly operate welfare reform delivery system for period July 1, 1999 through June 30, 2000.

Year Around School to Career Services to At-Risk Youth: Issue Fund Availability Notices to six community based organization vendors to provide services for Program Year 1999.

Employment Services for Workers Age 55 and Older: Extend time of performance for Program Year 1998 and Issue new Fund Availability Notices to East Side Neighborhood Services and Resource Inc. to continue offering assessment, case management and job placement services.

HEALTH AND FAMILY SUPPORT SERVICES (264923)

Dislocated Worker Program: Issue various Fund Availability Notices to service providers for Program Year 1999.

Child Care Provider Training: Increase McKnight Welfare to Work Initiative Program Fund Availability Notice to Greater Minneapolis Day Care Association by \$51,160.

Bike Transportation: Execute contract with Yellow Bike Coalition to provide bikes in eligible neighborhoods.

Senior Coordinating Board: Create Senior Coordinating Committee.

Adult Employment & Training Program: Issue Fund Availability Notices to service providers for Program Year July 1, 1999 through June 30, 2000.

HEALTH AND HUMAN SERVICES and WAYS & MEANS/BUDGET (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (264924)

Federal Welfare-to-Work: Accept \$2,673,414 and execute grant agreement with Minnesota Department of Economic Security to provide services to eligible Minnesota Family Investment Program participants for period July 1, 1999 through September 30, 2001; Appropriate grant funds; and Issue Fund Availability Notices to MFIP organizations to continue funding for 600 added slots so recipients can continue to obtain services for period July 1, 1999 through June 30, 2000.

Youth Offenders Demonstration Project: Accept \$300,000 and execute grant agreement with the United States Department of Labor for prevention and recovery services for youth offenders and gang members; and Appropriate grant funds.

Director of Programs and Services for Health & Family Support: Grant third step rate of pay of appointed salary schedule for Gretchen Musicant.

Weed and Seed Program: Issue Request for Proposals for administrative services.

INTERGOVERNMENTAL RELATIONS

(See Rep):

COUNCIL MEMBER MEAD (264925)

Metropolitan Aircraft Sound Abatement: Appoint Council Member Barret

LICENSES AND CONSUMER SERVICES (264926)

Minnestoa Stats 1999, Chapter 202: Grant local approval to law authorizing City to issue on-sale liquor licenses.

MAYOR (264927)

Census 2000: Appoint Will Craig to chair Minneapolis Complete Count Committee.

INTERGOVERNMENTAL RELATIONS and

ZONING AND PLANNING (See Rep):

PLANNING COMMISSION/DEPARTMENT (264928)

Metropolitan Council's Fiscal Impacts Analysis Study: Recommend staff selection of analysis zones & land use classifications.

**PUBLIC SAFETY AND REGULATORY
SERVICES:**

POLICE DEPARTMENT (264929)

Block Club Leaders and Crime Scenes: Administrative Announcement asking all officers to identify citizens at scenes, in response to budget footnote.

Rental Licensing: Update relating to conduct on licensed premises section of Code of Ordinances.

**PUBLIC SAFETY AND REGULATORY
SERVICES (See Rep):**

INSPECTIONS DEPARTMENT (264930)

Rental Dwelling License at 2914 Dupont Ave N: Concur with recommendation of Director of Inspections to revoke license held by Scott Schmidt.

**LICENSES AND CONSUMER SERVICES
(264931)**

Secondhand Goods: Comparison of proposed changes to administrative process for Ordinance amending Title 13, Chapter 321 of Code relating to Licenses and Business Regulations: Secondhand Dealers - Exhibitions.

Licenses: Applications.

POLICE DEPARTMENT (264932)

Highway 55 Detail (Operation Cold Snap): Execute Joint Powers Agreement with State of Minnesota to receive \$165,634.35 as reimbursement to City for officer overtime and miscellaneous expenses.

**PUBLIC SAFETY AND REGULATORY
SERVICES and TRANSPORTATION &
PUBLIC WORKS (See Rep):**

POLICE DEPARTMENT (264933)

Police Facilities: Support development of master facilities plan to address facilities needs; Direct staff to begin implementation of process

**PUBLIC SAFETY AND REGULATORY
SERVICES and WAYS & MEANS/BUDGET
(See Rep):**

INSPECTIONS DEPARTMENT (264934)

Graffiti Removal from Sensitive Surfaces and Application of Sacrificial Coatings: Execute contracts with Graffiti Removal Service and Sani-Masters, Inc for two-year period July 1, 1999 through April 30, 2001.

**LICENSES AND CONSUMER SERVICES
(264935)**

Lead Hazard Reduction: Amend agreement with Metropolitan Visiting Nurse Association to

extend term through December 31, 1999 for educational activities.

POLICE DEPARTMENT (264936)

Community Notification Grant: Accept award of \$8,960.53 and execute contract with State Department of Public Safety to reimburse City for expenditures to conduct Level 2 and 3 sex offender notification flyer distribution and meetings; and Appropriate grant funds to Police Department.

POLICE DEPARTMENT (264937)

Youth Access to Alcohol: Authorize purchase covert audio tape recording equipment. *(See PS&RS Report)

TRANSPORTATION AND PUBLIC WORKS:

**PUBLIC WORKS AND ENGINEERING
(264938)**

Transtop Franchise Agreement: Update on negotiations.

Traffic Restrictions: Quarterly report on stop signs, parking/turn restrictions, special zones, streetlights, etc.

WATER DEPARTMENT (264939)

Risk Management Plan for Water Supply Chemicals.

**DOWNTOWN TRAFFIC MANAGEMENT
ORGANIZATION (264942)**

Downtown Traffic Management Organization: Information on services and structure.

**TRANSPORTATION AND PUBLIC WORKS
(See Rep):**

**PUBLIC WORKS AND ENGINEERING
(264940)**

Fire Station Capital Projects: Reallocate capital funds for structural reinforcement of the apparatus floor at Fire Station #10 and for renovation of the heating system at Fire Station #7.

Dinkytown Bikeway Connection: Transfer to MnDOT City's share of funding for construction contract.

**PUBLIC WORKS AND ENGINEERING
(264941)**

Kenwood Water Pumping Station: Accept quit claim deed from the State for property on which station is located.

Midtown Greenway Trail Project: Accept recreational trail easement from the Sowles Company for bikeway connection to Bryant Ave S.

U of M Water Line Easements: Accept two easements in the vicinity of 19th and Washington Ave S.

Landscaping Project: Agreement with MnDOT regarding neighborhood landscaping project near I-94 and LaSalle Ave.

**TRANSPORTATION AND PUBLIC WORKS
and WAYS & MEANS/BUDGET**

(See Rep):

COORDINATOR AND CITY ENGINEER (264943)

Facilities, Space and Asset Management: Report on functions roles and responsibilities with recommendations to establish new management committee.

Avenue of the Arts (3rd Ave S): Conceptual design and preliminary financing recommendations.

FINANCE DEPARTMENT (264944)

Utility Bill Inserts: Policy and process for inserts.

PUBLIC WORKS AND ENGINEERING (264945)

Alternative Fuel Buses: Joint powers agreement with Metropolitan Council to provide federal grant funds for the purchase of five non-polluting buses to be used on the Nicollet Mall.

Bridge Square (1st St No & Hennepin Ave): Agreement with Hellmuth, Obata & Kassabaum for redesign plans for intersection adjacent to Federal Reserve Bank Project.

PURCHASING (264946)

Bids: Accept OP #5155, low bid of Tri State Drilling to install drill holes for the Water Works East Yard; and OP #5151, low bid of Knutson Construction Services for the 34 million gallon Hilltop reservoir.

WAYS AND MEANS BUDGET:

ATTORNEY (264947)

Cutler & Stanfield Contract: Receive & File billing update.

ESTIMATE AND TAXATION (264948)

Price Agreements/Personal Service Contracts: Receive and File Internal Audit Report.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (264949)

Settlements: Approve payments to: Ronald Wiederholt; Laurie Brown; Lauren Bilges.

Settlement: Approve payment to James D. Carlisle, payable from sale of property.

Legal Fees. Settlement of claim of Larry E. Reed for fees relating to matter of Shabazz vs. Miller, et al.

CONVENTION CENTER (264950)

Convention Center Expansion Project: Approve traditional bonding approach.

Bid: OP #5166, Accept low bid of Havens Steel Company for Convention Center Expansion Project.

COORDINATOR (264951)

Fiscal Year 98-99 Federal Central MN Weed & Seed Grant: Authorize transfer of funds.

FINANCE DEPARTMENT (264952)

1999 Appropriation Request for Space and Asset Management Function: Approve.

FINANCE DEPARTMENT (264953)

Utility Billing Insert: Authorize inclusion of Park Board message in July, 1999 billings.

HUMAN RESOURCES (264954)

Director, Office of Cultural Affairs: Salary Ordinance for position.

Director, Central Services Bureau: Salary Ordinance for position.

HUMAN RESOURCES (264955)

Space and Asset Manager: Salary Ordinance for position.

Facility Manager: Salary Ordinance for position.

PLANNING COMMISSION/DEPARTMENT (264956)

City Participation in Metropolitan Council's Fiscal Impacts Analysis Study: Approve analysis zones and land-use classifications; Refer approval to Metropolitan Council.

ZONING AND PLANNING:

PLANNING COMMISSION/DEPARTMENT (264957)

John Turner, 2723 Lyndale Av S: Application for waiver from moratorium on establishment of automobile related services (Chapter 588 of Minneapolis Code of Ordinances).

ZONING AND PLANNING (See Rep):

INSPECTIONS/BOARD OF ADJUSTMENT (264958)

Sign at 945 Broadway St NE: Report.

INSPECTIONS/BOARD OF ADJUSTMENT (264959)

Vander Poel, Roger, 3838 Xerxes Av N: Appeal re application for variation of garage size w/attached Planning Dept findings, correspondence, drawings.

Acky-Uptown Limited Partnership, 1430-1444 W Lake St: Appeal re application for variance to allow shared parking for office use in Rainbow Shops building & Parasole Restaurant, w/attached

staff report, Planning Dept findings, drawings, Transportation Management Plan, correspondence from Leonard, Street & Deinard.

David Pieper, 2215 Bryant Av S: Appeal re application for variation of lot area per dwelling unit to permit 4th dwelling unit in 3-unit building, w/attached Planning Dept report & findings, Board of Adjustment minutes, drawings, correspondence.

PLANNING COMMISSION/DEPARTMENT (264960)

Community Development Agency: Vacate alley bounded by 9th & 10th Sts S, LaSalle Ave & Nicollet Mall to permit site assembly for proposed Target store & municipal parking garage, w/staff report, findings, map, drawings.

Michael Finn & Howard Weisskopf: Vacate alley bounded by 11th Ave N, 6th St N, 10th Ave N, 8th Av N & Lyndale Av N to permit parking for Ragstock Store at 830 N 7th St, w/staff report, findings, drawings, map.

Zoning Code Text Amendment: Amending Title 20, Chapter 540 of the Minneapolis Code of Ordinances, permitting trade or commercial schools as conditional uses in the B2S zoning district w/staff report, findings.

Planning Commission: Summary of actions taken at its 6/7/99 meeting.

PLANNING COMMISSION/DEPARTMENT (264961)

Minneapolis Downtown 2010 Plan: Direct staff to initiate plan amendment process re proposed amendment to expand primary office district w/maps.

Historic Mills District Master Plan: Approve plan.

PLANNING COMMISSION/DEPARTMENT (264962)

Pandora's Cup, 2516 Hennepin Av S: Planning Commission: Appeal re Conditional Use Permit for extended hours, w/attached Planning Commission minutes, statement of appellants Michael Trebnick & Sonja Hayden, staff report & findings on CUP application, maps, drawings, correspondence.

Michael Trebnick & Sonja Hayden: Petition supporting CUP, signed by Becky Potter & approximately 451 others.

Hillcrest Development: Amend Resolution 98R-359 vacating a portion of Stinson Boulevard (Vac #1245).

Gloria Hiner, 2516 S 8th St: Application to rezone property, w/attached findings, maps, drawings, correspondence.

Robert Lilligren, 2913-2919 3rd Ave S: Application to rezone property, w/attached findings, maps, drawings, correspondence.

MOTIONS:

COUNCIL MEMBER (264963)

Lyndale Ave S, 2822 (Intermedia Arts) special permit for outdoor music/performance & fireworks display.

REPORTS OF STANDING COMMITTEES

The **COMMUNITY DEVELOPMENT** Committee submitted the following reports:

Comm Dev – Your Committee recommends approval of the appointment of Marna Anderson, 3518 – 22nd Ave S, Minneapolis, 55407 (Ward 9) to the Minneapolis Arts Commission (lay appointment), to fill the unexpired term of William Stark, which expires January 31, 2000.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee, having under consideration City Council Member representation on the City/County Task Force on Homelessness for Families, Single Adults and Youth, now recommends approval of the appointments of Council Members Jim Niland and Lisa Goodman to said Task Force.

Niland moved to substitute the following report for the above report. Seconded.

Adopted upon a voice vote.

Comm Dev – Your Committee, having under consideration City Council appointments to the City/County Task Force on Homelessness for Families, Single Adults and Youth, now recommends approval of the following appointments:

a) Jim Niland and Lisa Goodman, as Minneapolis City Council representatives;

b) Cora McCorvey, or her designee, as the Minneapolis Public Housing Authority representative; and

c) Reverend Curtis Herron, as the neighborhood group representative.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee, to whom was referred back on 6/11/99 a report relating to expansion of membership on the Near Northside Implementation Committee to include representatives from Hennepin County, Minneapolis Board of Education, Minneapolis Library Board and the U.S. Department of Housing and Urban Development, now recommends approval for expansion of membership to include a representative from the U.S. Department of Housing and Urban Development.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee, having under consideration the Contract for Private Redevelopment By and Among the Minneapolis Community Development Agency (MCDA), City of Minneapolis and Minneapolis Square LLC, dated March 30, 1998, and as assigned to Brookfield Management Services LLC, for redevelopment of Block E consisting of a cinema-based urban entertainment center, and further having under consideration the report of the MCDA denoting the developer's secured leases for a major multiplex theater, Letters of Intent from three national credit tenants, and a project design concept that has met with widespread approval, but absent the remaining development commitments relating to compliance with the requirements of Section 3.3 (Conditions Precedent) of said redevelopment contract which relate to the "Sunset Date" by which date the developer was obligated to satisfy a number of design, financing, and preleasing requirements before the MCDA would be obligated to proceed with the remaining site acquisition on the block, specifically relating to the hotel component of the project, as more fully set forth in Petn No 264915, now submits the following requests and direction to staff without recommendation:

1) That the proper City officers be authorized to execute an amendment to the Contract for Private Redevelopment By and Among the MCDA, City of Minneapolis and Minneapolis Square LLC, dated March 30, 1998, and as assigned to Brookfield Management Services LLC, to (a) defer

the provision of Section 3.3(f) relating to hotel commitments and add the same provision to Section 4.5; (b) defer the provision of Section 3.3(g) relating to Letter of Credit requirements to the earlier of five days prior to the required condemnation deposit or ten days following compliance with the hotel commitments; and (c) require a Closing Date no later than January 31, 2000;

2) That the proper City officers be authorized to execute an assignment of the Contract for Private Redevelopment By and Among MCDA, City of Minneapolis, and Minneapolis Square LLC, dated March 30, 1998, and as assigned to Brookfield Management Services LLC, to McCaffery Interests;

3) That this action be transmitted to the Board of Commissioners of the MCDA; and

4) That the proper City officers be directed to report back in the first cycle in October, 1999 on the status of the project, specifically in securing the commitment of a hotel for the development.

Campbell moved to amend the report by deleting the language, "without recommendation:" and inserting in lieu thereof the language, "for approval:" Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 10; Nays, 3 as follows:

Yeas – Johnson, Thurber, Ostrow, Campbell, Biernat, Niland, Goodman, Colvin Roy, Herron, Cherryhomes.

Nays – Lane, McDonald, Mead.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT** and **INTERGOVERNMENTAL RELATIONS** Committees submitted the following report:

Comm Dev & IGR – Your Committee recommends passage of the accompanying resolution urging the Minnesota Congressional Delegation to support increased funding for the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Programs.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published June 29, 1999)

RESOLUTION 99R-212
By Thurber and Niland

Urging the Minnesota Congressional Delegation to support increased funding for the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Programs.

Whereas, the City of Minneapolis has been the recipient of Community Development Block Grant (CDBG) funds for the last 25 years; and

Whereas, the City of Minneapolis has also been the recipient of HOME Investment Partnerships (HOME) Program funds for the last 10 years; and

Whereas, over the years the CDBG and HOME Programs have become cornerstones in the Federal urban area policy agenda; and

Whereas, the City of Minneapolis considers continued funding at increased levels of these vital Federal programs to be critical; and

Whereas, if these Federal programs were cut, it would have a devastating effect on thousands of Minneapolis' low and moderate income citizens; and

Whereas, the extent of local community development and housing needs is of such a scale that localities cannot address them without continued Federal assistance; and

Whereas, Minneapolis is experiencing an affordable housing supply crisis for its low and moderate income citizens; and

Whereas, CDBG/HOME funding has enabled the City of Minneapolis to design a wide variety of community development and housing programs and projects to address unique local needs; and

Whereas, Minneapolis has been a national leader in the innovative use of these funds by partnering with other public and private organizations to leverage their funds; and

Whereas, Minneapolis targets these funds to directly benefit the low income citizens of Minneapolis; and

Whereas, in a typical year, approximately one-third of all Minneapolis residents are touched by the use of the CDBG and HOME Programs in some way;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis strongly urges the Minnesota Congressional Delegation to continue its support of these vital Federal urban housing programs at increased funding levels for

FY 2000 so that urban areas can continue to address their most pressing and serious community development and housing needs.

Be It Further Resolved that the Intergovernmental Relations Office staff is directed to send copies of this resolution with covering letters to the entire Minnesota Congressional Delegation immediately upon adoption.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999. J. Cherryhomes, President of Council.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published June 29, 1999)

The **COMMUNITY DEVELOPMENT** and **WAYS&MEANS/BUDGET** Committees submitted the following reports:

Comm Dev & W&M/Budget – Your Committee, having under consideration submittal of an application by the City, on behalf of Electric Machinery Company, to the Minnesota Department of Trade and Economic Development for Minnesota Investment Funds in an amount of up to \$375,000, and having held a public hearing thereon, now recommends that the proper City officers be authorized to submit said application, as more fully set forth in Petn No 264920.

Your Committee further recommends passage of the accompanying resolution of local government support for the project.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 25, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published June 29, 1999)

RESOLUTION 99R-213
By Niland and Campbell

Authorizing submission of a Business and Community Development application to the Minnesota Department of Trade and Economic Development on behalf of Electric Machinery Company, and execution of subsequent agreements.

Resolved by The City Council of The City of Minneapolis:

1. That the City of Minneapolis act as the legal sponsor for project contained in the Business and

Community Development Application to be submitted on June 17, 1999 and that the proper City officers of the City of Minneapolis are hereby authorized by Mayor Sharon Sayles Belton and Council President Jackie Cherryhomes to apply to the Minnesota Department of Trade and Economic Development for funding of this project on behalf of Electric Machinery Company.

2. That the City of Minneapolis has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure adequate construction, operation, maintenance and replacement of the proposed project for its design life.

3. That the City of Minneapolis has not incurred any costs and has not entered into any written agreements to purchase property.

4. That the City of Minneapolis has not violated any Federal, State, or local laws pertaining to fraud, bribery, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

5. That upon approval of its application by the state, the City of Minneapolis may enter into an agreement with the State of Minnesota for the above-referenced project, and that the City of Minneapolis certifies that it will comply with all applicable laws and regulations as stated in all contract agreements and described on the Compliances Section (FP-20) of the Business and Community Development Application.

6. That the City of Minneapolis has obtained credit reports and credit information from Electric Machinery Company and Michael Vucelic. Upon review by City of Minneapolis and Applicant's Legal Counsel, no adverse findings or concerns regarding, but not limited to, tax liens, judgements, court actions, and filings with state, federal and other regulatory agencies were identified. Failure to disclose any such adverse information could result in revocation or other legal action.

7. That the proper City officers are hereby authorized by Mayor Sharon Sayles Belton and Council President Jackie Cherryhomes to execute such agreements, and amendments thereto, as are necessary to implement the project on behalf of the applicant.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999. J. Cherryhomes, President of Council.

Approved June 25, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.
(Published June 29, 1999)

Comm Dev & W&M/Budget – Your Committee, having under consideration Modification No. 6 to the South East Minneapolis Industrial (SEMI) Area Redevelopment Plan and Modification No. 1 to the SEMI Phase 3 Tax Increment Finance Plan, relative to the Bedford Street Townhouse Project, a one-acre site located at the southwest corner of Bedford St and 4th St SE, one block north of University Ave (Pct No 264919), and having conducted a public hearing thereon, now recommends passage of the accompanying resolution adopting said modifications.

Your Committee further recommends concurrence in the recommendation of the Minneapolis Community Development Agency's (MCDA) Development Finance Committee that tax increment payments should not go back to the Neighborhood Revitalization Program for this project.

Your Committee further recommends that this action be referred to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-214
By Niland and Campbell

Adopting Modification No. 6 to the Southeast Minneapolis Industrial (SEMI) Area Redevelopment Plan and Modification No. 1 to the SEMI Phase 3 Tax Increment Finance Plan (Bedford Street Townhouses).

Resolved by The City Council of The City of Minneapolis:

Section 1. Recitals.

1.01. That the Minneapolis Community Development Agency (the "Agency") is the Housing and Redevelopment Authority of and for the City of Minneapolis (the "City") with the authority to propose and implement redevelopment projects and tax increment financing districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.047, and 469.174 through 469.179, as amended; Laws of Minnesota 1971, Chapter 677, as amended; Laws of Minnesota 1980, Chapter 595, as amended; and Minneapolis Code of Ordinances, Chapter 422, as amended (collectively, the "Laws").

1.02. That by Resolution No 95R-199 duly adopted on June 30, 1995, the City approved the Southeast Minneapolis Industrial (SEMI) Area Redevelopment Plan and the SEMI Phase 1 Tax Increment Finance ("TIF") Plan, which authorized the creation of a new redevelopment project (the "SEMI Project") and a new tax increment financing district, designated property to be acquired, and included a preliminary project budget, all pursuant to and in accordance with the Laws.

1.03. That by Resolution No 96R-046 duly adopted on February 23, 1996, the City approved Modification No 1 to the SEMI Area Redevelopment Plan and the SEMI Area Phase 2 TIF Plan, which expanded the redevelopment project area, created a new tax increment financing district, identified property that may be acquired, and included a preliminary budget, all pursuant to and in accordance with the Laws.

1.04. That by Resolution No 96R-302 duly adopted on October 25, 1996, the City approved Modification No 2 to the SEMI Area Redevelopment Plan and Modification No 1 to the SEMI Phase 2 TIF Plan, including project costs, adoption of the hazardous substance subdistrict plan relating thereto, and the establishment of a budget for hazardous substance subdistrict expenditures, all pursuant to and in accordance with the Laws.

1.05. That by Resolution No 96R-347 duly adopted on November 22, 1996, the City approved Modification No 3 to the SEMI Area Redevelopment Plan and the SEMI Phase 3 TIF Plan, which plans expanded the SEMI Project area, established a tax increment financing district, identified a budget for expenditures, and designated property that may be acquired, all pursuant to and in accordance with the Laws.

1.06. That by Resolution No 97R-103 duly adopted on April 25, 1997, the City approved Modification No 4 to the SEMI Area Redevelopment Plan and the SEMI Phase 4 TIF Plan, which plans established a tax increment financing district, identified a budget for expenditures, and designated property that may be acquired, all pursuant to and in accordance with the Laws.

1.07. That by Resolution No 98R-195 duly adopted on June 12, 1998, the City approved Modification No 5 to the SEMI Area Redevelopment Plan and the SEMI Phase 5 TIF Plan, including the SEMI Phase 5 Hazardous Substance Subdistrict Plan, which plans established the SEMI Area TIF and Hazardous

Substance Subdistrict, identified a budget for expenditures, and designated property that may be acquired, all pursuant to and in accordance with the Laws.

1.08. The Agency has caused to be prepared, and this Council has investigated the facts with respect thereto, a proposed Modification No 6 to the SEMI Area Redevelopment Plan and Modification No 1 to the SEMI Phase 3 TIF Plan (together, the "Plans"), which Plans expand the existing TIF District No 79 to include the adjacent site of the Bedford Street Townhouse Project, describe the activities to be undertaken, public costs, the identification of budgets for TIF expenditures, and the designation of property that may be acquired.

1.09. The Agency and the City have performed all actions required by law to be performed prior to the adoption of the Plans, including, but not limited to, a review of the proposed Plans by the affected neighborhood groups and the Planning Commission, transmittal of the proposed Plans to the Hennepin County Board of Commissioners and the School Board of Special School District No 1 for their review and comment, and the holding of a public hearing upon published and mailed notice as required by law.

Section 2. Findings for the Adoption of the Plans.

2.01. The Council hereby finds, determines and declares that the Plans will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the development or redevelopment of the SEMI Project Area and area to be added to the existing SEMI Phase 3 TIF District No 79 by private enterprise.

2.02. The Council further finds, determines, and declares that the Plans conform to the general plan for the development or redevelopment of the City as a whole. Written comments of the Planning Commission with respect to the Plans were issued and are incorporated herein by reference, and are on file in the office of the City Clerk as a Petition.

2.03. The Council further finds, determines and declares that the proposed development within the expanded SEMI Phase 3 TIF District would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future, that the purpose of the public redevelopment activities proposed in this plan is to facilitate redevelopment of six underutilized and blighted properties for residential reuse. This housing project is intended to stabilize the residential enclave located along 4th Street SE

by redeveloping blighted and moderately contaminated property, eliminating conflicting land uses, and constructing approximately 12 new townhouse units. The land area of the new residential project to be constructed on the site is approximately one acre, or 43,560 square feet. This means that upon project completion, public investment for site assembly and site preparation will equal approximately \$19.50 per square foot. However, the fair market value of cleared land in this area is estimated at between \$2.50 and \$4.00 per square foot. Therefore, without public assistance to absorb the extraordinary costs associated with site assembly and the preparation for redevelopment of blighted property, private development could not occur at this location. Further, the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the District permitted by the Plans, and therefore private redevelopment of the property included in the expansion of the SEMI Phase 3 TIF district could not occur without public participation and financial assistance within the foreseeable future and is deemed necessary.

2.04. The Council further finds, determines and declares that the area to be added to the existing SEMI Phase 3 TIF District contains three buildings (one commercial and two residential) and a surface parking lot. The expansion parcels are one hundred percent covered by improvements and two of the three buildings are substandard and warrant substantial renovation; that the added area to the existing tax increment financing district meets the criteria of a redevelopment district as defined in the Laws, based upon detailed and documented parcel-by-parcel interior and external inspections of the properties to be included, pursuant to Minnesota Statutes, Section 469.174, Subdivision 10 (a); and that the reasons and supporting facts for this determination are retained and available from the Agency.

2.05. The Council further finds, determines and declares that the objectives and actions authorized by the Plans are all pursuant to and in accordance with the Laws.

2.06. The Council further finds, determines and declares that the Bedford Street Townhouse

Project is a residential project, and will not result in any increase in commercial property value that would be subject to fiscal disparities; nevertheless, it is the intent of the MCDA and the City of Minneapolis that any fiscal disparity contribution required of the City for development occurring within this district be taken from outside the SEMI Phase 3 TIF District. The election provided in Minnesota Statutes Section 469.177, Subdivision 3, (a) is elected.

2.07. The Council further finds, determines and declares that this plan modification expands the boundary of the existing SEMI Phase 3 redevelopment TIF District to include the adjacent site of the Bedford Street Townhouse Project. The City of Minneapolis has already elected to exempt this district from the LGA/HACA penalty by making a qualifying local contribution to project costs required pursuant to Minnesota Statutes, Section 273.1399, thereby exempting the City from the State Aid Offset (LGA/HACA penalty) on the SEMI Phase 3 TIF District.

2.08. The Council further finds, determines and declares that it is necessary and in the best interest of the City at this time to approve Modification No 6 to the SEMI Area Redevelopment Plan, and Modification No 1 to the SEMI Phase 3 TIF Plan.

Section 3. Approval of the Plans.

3.01. Based upon the findings set forth in Section 2 hereof, Modification No 6 to the SEMI Area Redevelopment Plan and Modification No 1 to the SEMI Phase 3 TIF Plan, presented to the Council on this date are hereby approved and shall be placed on file in the office of the City Clerk.

Section 4. Implementation of the Plans.

4.01. The officers and staff of the City and the Agency and the City's and the Agency's consultants and counsel are authorized and directed to proceed with the implementation of the Plans, and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further plans, resolutions, documents and contracts necessary for this purpose.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999. J. Cherryhomes, President of Council.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Portion republished July 14, 1999)

Comm Dev & W&M/Budget – Your Committee, having under consideration the project/property management at the Mann Theater, tenant relocation and related costs and other projected costs, now recommends passage of the accompanying resolution increasing the Minneapolis Community Development Agency (MCDA) appropriation in Fund SDA0 (Development Account) by \$933,000, and that staff be directed to prepare a resolution for the MCDA Board acknowledging MCDA Mann Theater costs as authorized Common Project tax increment expenditures and to bring forward any necessary related appropriation changes for approval.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 25, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published June 29, 1999)

RESOLUTION 99R-215
By Niland and Campbell

Amending The 1999 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund SDA0 – Development Account by \$933,000 from available fund balance.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999. J. Cherryhomes, President of Council.

Approved June 25, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published June 29, 1999)

Comm Dev & W&M/Budget – Your Committee, having under consideration expenditures for construction of the first roadway in the South East Minneapolis Industrial (SEMI) Phase I, now recommends:

a) Increasing the MILES allocation to SEMI Phase I by \$66,000;

b) Passage of the accompanying resolution increasing the Minneapolis Community Development Agency's (MCDA) appropriation in Fund CS10 (SEMI Phase I) by \$112,000 and

increasing the Fund CAD0 (Tax Increment) by \$3,360; and

c) That the proper MCDA staff be directed to investigate the sale of bonds for construction of roads SEMI.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-216
By Niland and Campbell

Amending The 1999 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended as follows:

a) Increasing the appropriation in Fund CS10 – SEMI Phase I by \$112,000 from available fund balance;

b) Increasing the appropriation in Fund CAD0 – Tax Increment by \$3,360 from available fund balance.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999. J. Cherryhomes, President of Council.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Portion republished July 14, 1999)

Comm Dev & W&M/Budget – Your Committee, having under consideration the matter of issuing up to \$8,200,000 in entitlement Rental Housing Revenue Bonds on behalf of Riverside Homes Limited Partnership to finance the acquisition and rehabilitation of West Bank Homes I, West Bank Homes II, West Bank Homes III, West Bank Homes VI and Riverbluff Townhomes, as set forth in Petn No 264919, now recommends:

a) Passage of the accompanying resolution approving a pledge of funds by the City of Minneapolis for the purpose of providing credit enhancement for Riverside Homes Limited Partnership, and authorizing summary publication of said resolution;

b) Approval of the restructuring of 2nd mortgage debt of \$5,654,192 to be single debt to Riverside Homes Limited Partnership;

c) Approval of forgiveness of \$1,469,792 of Cedar Riverside Tax Increment debt for the 32 homeownership units; and

d) That this action be referred to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 99R-217, authorizing the financing by the Minneapolis Community Development Agency of a housing development project under Minnesota Statutes, Sections 469.001 to 469.047, and providing for credit enhancement by the City of the bonds issued to finance the project through the pledge of funds to pay operating and maintenance deficits in connection therewith (Riverside Homes Limited Partnership), was passed June 25, 1999 by the City Council and approved June 28, 1999 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 99R-217
By Niland and Campbell

Authorizing the financing by the Minneapolis Community Development Agency of a housing development project under Minnesota Statutes, Sections 469.001 to 469.047, and providing for credit enhancement by the City of the bonds issued to finance the project through the pledge of funds to pay operating and maintenance deficits in connection therewith (Riverside Homes Limited Partnership).

Whereas, pursuant to the laws of the State of Minnesota, particularly Minnesota Statutes Sections 469.001 to 469.047 (the "Act"), the Minneapolis Community Development Agency (the "Issuer") is authorized to undertake housing development projects to provide safe and sanitary housing affordable by persons of low and moderate income, and to issue its revenue bonds to provide funds for such purpose; and

Whereas, on December 12, 1997, the City Council of the City of Minneapolis, Minnesota (the

"City") adopted a program (the "Program") for the issuance of bonds to make a loan to finance the acquisition and rehabilitation of 191 units of existing multifamily rental housing (the "Project") located at various addresses, all in the Cedar Riverside area of the City, by Riverside Homes Limited Partnership, a Minnesota limited partnership (the "Company"), of which West Bank Community Development Corporation, a Minnesota nonprofit corporation, is the general partner; and

Whereas, the housing development project and the Program is to be financed from the proceeds of Multifamily Housing Revenue Bonds (Riverside Homes Project), Series 1999 (the "Bonds") in an aggregate principal amount not to exceed \$8,200,000, to be issued by the Issuer, and the revenues from the Project (as defined below) shall be pledged for the security of and payment for the Bonds (except as may be otherwise set forth in the Indenture hereinafter referred to); and

Whereas, the Bond proceeds will be used by the Issuer to provide for funding of a loan (the "Loan") to the Company to finance the acquisition and rehabilitation of the Project; and

Whereas, the Bonds will be issued under a Loan Agreement and Indenture of Trust (the "Indenture"), and said Bonds and the interest on said Bonds shall be payable solely from the revenues pledged therefor and the Bonds shall not constitute a debt of the Issuer or the City within the meaning of any constitutional or statutory limitation nor give rise to a pecuniary liability of the Issuer or the City or a charge against their general credit or assets and shall not constitute a charge, lien, or encumbrance, legal or equitable, upon any property of the Issuer or the City other than the Issuer's interest in said Project; and Authorizing the financing of a housing program under Minnesota Statutes, Chapter 462C, authorizing the issuance of Multifamily Housing Revenue Bonds (Riverside Homes Project), Series 1999, in an aggregate principal amount not to exceed \$8,200,000 to finance the program, and approving and authorizing the execution of various documents in connection therewith; and

Whereas, pursuant to the laws of the State of Minnesota, particularly Minnesota Statutes Sections 469.001 to 469.047 (the "Act"), the Minneapolis Community Development Agency (the "Issuer") is authorized to undertake housing development projects to provide safe and sanitary housing affordable by persons of low and moderate

income, and to issue its revenue bonds to provide funds for such purpose; and

Whereas, on December 12, 1997, the City Council of the City of Minneapolis, Minnesota (the "City") adopted a program (the "Program") for the issuance of bonds to make a loan to finance the acquisition and rehabilitation of 191 units of existing multifamily rental housing (the "Project") located at various addresses, all in the Cedar Riverside area of the City, by Riverside Homes Limited Partnership, a Minnesota limited partnership (the "Company"), of which West Bank Community Development Corporation, a Minnesota nonprofit corporation, is the general partner; and

Whereas, the housing development project and the Program is to be financed from the proceeds of Multifamily Housing Revenue Bonds (Riverside Homes Project), Series 1999 (the "Bonds") in an aggregate principal amount not to exceed \$8,200,000, to be issued by the Issuer, and the revenues from the Project (as defined below) shall be pledged for the security of and payment for the Bonds (except as may be otherwise set forth in the Indenture hereinafter referred to); and

Whereas, the Bond proceeds will be used by the Issuer to provide for funding of a loan (the "Loan") to the Company to finance the acquisition and rehabilitation of the Project; and

Whereas, the Bonds will be issued under a loan Agreement and Indenture of Trust (the "Indenture"), and said Bonds and the interest on said Bonds shall be payable solely from the revenues pledged therefor and the Bonds shall not constitute a debt of the Issuer or the City within the meaning of any constitutional or statutory limitation nor give rise to a pecuniary liability of the Issuer or the City or a charge against their general credit or assets and shall not constitute a charge, lien, or encumbrance, legal or equitable, upon any property of the Issuer or the City other than the Issuer's interest in said Project; and

Whereas, authorizing the financing of a housing program under Minnesota Statutes, Chapter 462C, authorizing the issuance of Multifamily Housing Revenue Bonds (Riverside Homes Project), Series 1999, in an aggregate principal amount not to exceed \$8,200,000 to finance the program, and approving and authorizing the execution of various documents in connection therewith; and

Whereas, pursuant to the laws of the State of Minnesota, particularly Minnesota Statutes

Sections 469.001 to 469.047 (the "Act"), the Minneapolis Community Development Agency (the "Issuer") is authorized to undertake housing development projects to provide safe and sanitary housing affordable by persons of low and moderate income, and to issue its revenue bonds to provide funds for such purpose; and

Whereas, on December 12, 1997, the City Council of the City of Minneapolis, Minnesota (the "City") adopted a program (the "Program") for the issuance of bonds to make a loan to finance the acquisition and rehabilitation of 191 units of existing multifamily rental housing (the "Project") located at various addresses, all in the Cedar Riverside area of the City, by Riverside Homes Limited Partnership, a Minnesota limited partnership (the "Company"), of which West Bank Community Development Corporation, a Minnesota nonprofit corporation, is the general partner; and

Whereas, the housing development project and the Program is to be financed from the proceeds of Multifamily Housing Revenue Bonds (Riverside Homes Project), Series 1999 (the "Bonds") in an aggregate principal amount not to exceed \$8,200,000, to be issued by the Issuer, and the revenues from the Project (as defined below) shall be pledged for the security of and payment for the Bonds (except as may be otherwise set forth in the Indenture hereinafter referred to); and

Whereas, the Bond proceeds will be used by the Issuer to provide for funding of a loan (the "Loan") to the Company to finance the acquisition and rehabilitation of the Project; and

Whereas, the Bonds will be issued under a loan Agreement and Indenture of Trust (the "Indenture"), and said Bonds and the interest on said Bonds shall be payable solely from the revenues pledged therefor and the Bonds shall not constitute a debt of the Issuer or the City within the meaning of any constitutional or statutory limitation nor give rise to a pecuniary liability of the Issuer or the City or a charge against their general credit or assets and shall not constitute a charge, lien, or encumbrance, legal or equitable, upon any property of the Issuer or the City other than the Issuer's interest in said Project; and

Whereas, the City is authorized by the laws of the State of Minnesota, particularly Minnesota Statutes, Section 469.041 and Section 471.191, subdivision 2 to provide in its budget each year for any anticipated deficiency in revenues of the Project available for operation and maintenance

of the Project, and to levy a tax for such purpose; and

Whereas, the agreement of the City to exercise such power is a benefit to the purchasers of the Bonds, thereby allowing the Bonds to be sold at a more favorable interest rate, which is a benefit to the Project and the residents of the City;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That it is hereby found, determined and declared that:

a. The preservation of the quality of life in the City is dependent upon the construction, maintenance, provision, and preservation of an adequate housing stock which is affordable to persons and families of low or moderate income, that accomplishing this is a public purpose, and that many would-be providers of housing units in the City are either unable to afford mortgage credit at present market rates of interest or are unable to obtain mortgage credit because the mortgage credit market is severely restricted.

b. The development and implementation of the housing development project and the Program, and the issuance and sale of the Bonds by the Issuer, and the execution and delivery of the Agreements and the performance of all covenants and agreements of the Issuer contained therein and of all other acts and things required under the Constitution and Laws of the State of Minnesota to make the Agreements and the Bonds valid and binding obligations of the Issuer in accordance with their terms, are authorized by the Act.

c. The implementation of the Program for the purposes and in the manner contemplated by the Agreements conforms or will conform to all pertinent statutes, regulations and ordinances of the State of Minnesota and the City.

d. It is desirable that the Bonds in the principal amount not to exceed \$8,200,000 be issued by the Issuer.

e. The payments required or provided for by the Agreements are intended to produce income and revenues sufficient to provide for the payment when due of principal of and interest on all Bonds issued under the Indenture, and payments are required to be made for such expenses of, among other things, administration of the Program, as will be necessary to protect the interests of the Issuer and the Trustee.

f. Pursuant to the provisions of the Act, and as provided in the Agreements, the Bonds shall be retired solely from the revenues of the Project and other revenues specifically pledged therefor.

Be It Further Resolved that the Credit Enhancement and Operating Deficit Agreement (the "Credit Enhancement Agreement") in substantially the form submitted to the City at this meeting is hereby approved. The Credit Enhancement Agreement is hereby authorized and directed to be executed and delivered in the name and on behalf of the Issuer by its Mayor, City Clerk and Finance Officer, provided that the form and terms of the Credit Enhancement Agreement may be varied prior to execution and delivery by the parties thereto, provided that any such variance shall not be, in the opinion of the City's legal counsel and the Mayor, materially adverse to the interests of the City. The execution and delivery of the Credit Enhancement Agreement as provided above shall be conclusive evidence of the determination that any such variance was not materially adverse to the interests of the City.

Be It Further Resolved that there is hereby allocated to the Project and the Bonds authorized hereby, \$8,200,000 of the City's 1999 entitlement authority to issue tax exempt bonds.

Be It Further Resolved that this Resolution shall take effect upon publication.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999. J. Cherryhomes, President of Council.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the planning for development of a new Light Rail Transit (LRT) system proposed to run along the Hiawatha Ave Corridor, connecting downtown Minneapolis with the airport and the City of Bloomington, now recommends:

a) Approval of a new Minneapolis Community Development Agency (MCDA) programmatic initiative to prepare program guidelines for a Transit-Oriented Development (TOD) Program to support redevelopment initiatives in station areas in the Hiawatha LRT Corridor, as set forth in Petn No 264919;

b) Designation of \$4 million of discretionary Common Project Reserve Funds as a set-aside for the proposed TOD Program;

c) That the proper City and MCDA staff be directed to investigate the potential for integrating art into the LRT Corridor; and

d) That this action be referred to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **HEALTH & HUMAN SERVICES** Committee submitted the following reports:

H&HS – Your Committee, to whom was referred ordinances amending Title 16 of the Minneapolis Code of Ordinances relating to *Planning and Development* replacing the Small Business Enterprise Program ordinance with a new Small and Underutilized Business Enterprise Program ordinance, requiring good faith efforts to utilize small and disadvantaged businesses in all construction and development contracts in excess of \$100,000 in a twelve month period and in all contracts for the provision of goods and services in excess of \$50,000 in a twelve month period, now recommends that the following ordinances be given their second reading for amendment and passage, with the direction that your Committee supports full staffing of the program, and that staff be directed to report back to the Health & Human Services and Ways & Means/Budget Committees with a recommendation regarding the appropriate staffing and resource levels needed to operate the program:

a. Repealing Chapter 423 relating to *Small Business Enterprise Program*; and

b. Adding a new Chapter 423 relating to *Small and Underutilized Business Enterprise Program*.

Your Committee further recommends summary publication of the above-described Ordinances.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 99-Or-068 repealing Chapter 423 of Title 16 of the Minneapolis Code of Ordinances relating to *Planning and Development: Small Business Enterprise Program* and Ordinance 99-Or-069 amending Title 16 of the Minneapolis Code of Ordinances relating to *Planning and Development*, by adding a new Chapter 423 relating to *Small and Underutilized Business Enterprise Program*, to establish requirements for:

1) Good faith outreach efforts to designated small and underutilized businesses for all persons and businesses bidding on any construction contract or development project in excess of \$100,000 in a twelve month period;

2) Good faith outreach efforts to designated small and underutilized businesses for all persons and businesses bidding on any good or services contract in excess of \$50,000 in a twelve month period;

3) Directing the Manager of the Small and Underutilized Business Enterprise Program to promulgate all necessary rules, regulations and forms to carry out the duties and responsibilities of the Small and Underutilized Business Enterprise Program, including all outreach requirements and requirements for demonstrating good faith efforts at compliance and establishing participation goals;

4) The certification of eligible small and underutilized business enterprises by the Manager of the Small and Underutilized Business Enterprise Program;

5) The administration of the Small and Underutilized Business Enterprise Program;

6) All City departments and offices and the Minneapolis Community Development Agency to share in the responsibility for accomplishing the goals and objectives of the Small and Underutilized Business Enterprise Program;

7) Provisions regarding the expiration of Chapter 423 as five (5) years from the date Chapter 423, the Small and Underutilized Business Enterprise Program is officially enacted by the City Council.

These ordinances were passed June 25, 1999 by the City Council and approved June 28, 1999 by the Mayor. Complete copies of these ordinances are available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 99-Or-068

By Campbell and Herron

Intro & 1st Reading: 3/26/99

Ref to: W&M/Budget

2nd Reading: 6/25/99

Repealing Chapter 423 of Title 16 of the Minneapolis Code of Ordinances relating to

Planning and Development: Small Business Enterprise Program.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Chapter 423 of the above-entitled ordinance be and is hereby repealed.

CHAPTER 423. SMALL BUSINESS ENTERPRISE PROGRAM*

423.10. Purpose. The purpose of this chapter is to encourage small business enterprises and to foster the maximum possible opportunity within the areas of construction contracting and provision of professional services for such businesses which are located in the State of Minnesota:

423.20. Policy. It is the policy of the City of Minneapolis to provide small business enterprises access to business opportunity, including but not necessarily limited to the procurement of goods, materials and services involving construction and other economic development activities and also including the procurement of professional services without compromising or affecting the bidding procedures of the uniform municipal contracting law:

423.30. Definitions. For the purposes of this chapter, the following words and phrases shall have the meanings set forth in this section, except where the context clearly indicates that a different meaning is intended:

A "small business enterprise" (SBE) shall mean a business which is an independent and continuing enterprise for profit, performing a commercially useful function, having its principal place of business within the Minneapolis-St. Paul Metropolitan Statistical Area (MSA), and is owned and controlled by one or more persons, not affiliated with other businesses, and whose gross revenues do not exceed the criteria consistent with the Minnesota Department of Administration Standard Industrial Classification (SIC) Codes now in effect, or as amended:

"Goods and services" means the purchase of material, supplies or equipment, or the purchase of trade, technical or professional services:

423.40. Administration. (a) The status of applicants for participation in the City of Minneapolis Small Business Enterprise Program shall be determined by the small business enterprise program director who shall investigate

and certify or deny the application of each applicant on forms provided by the director:

~~(b) The director of the Small Business Enterprise Program shall report to the director of the Minneapolis Department of Civil Rights:~~

~~(c) The director shall publish a small business enterprise directory containing the names and business addresses of all certified entities:~~

~~(d) The director shall undertake a range of activities to meet the needs of those entities participating in the program. These activities may include, but are not limited to:~~

~~(1) Consulting with participants:~~

~~(2) Providing information about business opportunities:~~

~~(3) Identifying bidding opportunities:~~

~~(4) Promoting networking among and between certified entities:~~

~~(5) Consulting city departments on future projects where small business enterprises may participate:~~

~~(e) After initial certification in the program, the director may consult with any small business enterprise for the purpose of creating a development plan. The plan shall serve as a guide for the entity in moving toward achieving mature business status. Performance under the plan may be used by the director in evaluating continuing eligibility in the program:~~

~~(f) The director shall take steps to widely disseminate information about the program to potential applicants and use recruiting methods which encourage a wide range of participation:~~

423.50. Eligibility. (a) Applicants meeting all requirements of section 423.30 may be certified in the small business enterprise program for a term to be later determined. In determining whether the applicant is certified in the small business enterprise program, the following factors, among others, may be considered:

~~(1) Whether the applicant was a party to misrepresentation or to fraud:~~

~~(2) Whether the applicant failed to perform on a contract:~~

~~(3) Whether there is other just cause for denying participation in the program:~~

~~(b) Certification may be discontinued if there is a change in the composition of the participant or for other reasons which may be considered in granting initial certification:~~

423.60. Monitoring and reporting. (a) The director shall have the authority to verify that the entities specified for participation in City of Minneapolis or Minneapolis Community

Development Agency projects, whether as prime contractors or subcontractors, are the entities performing the work. Such verification may be accomplished by on-site inspections, requesting written information, or such other mechanisms as may be reasonable.

(b) Each city contractor and each small business enterprise shall, upon request of the director, permit access during normal business hours to the business work site, records, and files, as needed, to determine conformance to small business enterprise program requirements.

(c) The director shall take steps, annually, to review the overall performance of the program with respect to the stated purpose and shall take steps to modify the program activities as necessary to accomplish such purpose. As part of the annual review process, the director shall collect information from program participants, among others. The director shall also gather information about the race and gender of the owners of the small business enterprises for statistical tracking purposes.

(d) The director shall prepare, annually, a report on the overall operation of the program. The report shall include information on the level of participation by small business enterprises in city projects and program activities and an overall assessment of the program. It shall be transmitted to the mayor and to the city council and shall be available for inspection by program participants and the public.

(e) The director shall also track participation of women-owned and minority-owned businesses for each project. The director shall make every attempt to track contractor payments to women-owned and minority-owned businesses and all payments received by women-owned and minority-owned sub-contractors.

423.70. Rules, regulations and forms. The director shall promulgate such rules, regulations and forms as may be needed to carry out the duties and responsibilities set forth herein.

423.80. Appeal process. In the event that an applicant disagrees with a certification decision affecting that applicant, the applicant may appeal the decision to the director of the Minneapolis Civil Rights Department.

423.90. Race-neutral and gender-neutral programs. The director may establish and administer race-neutral and gender-neutral programs, including, but not limited to:

(1) Increasing efforts to publicize bidding opportunities.

(2) Increasing efforts to provide information on how to do business with the City of Minneapolis.

(3) Providing feedback to unsuccessful bidders.

(4) Preparing lists of organizations which are sources for tax, legal, and accounting assistance and business development services.

(5) Providing training opportunities.

(6) Assuring sufficient lead times for preparing bids and proposals.

(7) Reducing the size and length of contracts.

(8) Providing increased technical assistance.

(9) Considering alternative bonding procedures.

(10) Providing assistance in obtaining financing.

(11) Enforcing prompt payment to subcontractors.

(12) Promoting the development of a single regional small business enterprise certification procedure.

423.100. Implementation of race-neutral and gender-neutral programs. The director may coordinate and implement joint race-neutral and gender-neutral programs with other appropriate governmental units.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999. J. Cherryhomes, President of Council.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 99-Or-069

By Campbell and Herron

Intro & 1st Reading: 3/26/99

Ref to: W&M/Budget

2nd Reading: 6/25/99

Amending Title 16 of the Minneapolis Code of Ordinances relating to Planning and Development, by adding a new Chapter 423 relating to Small and Underutilized Business Enterprise Program.

The City Council of the City of Minneapolis ordains as follows:

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Chapter 423 to read as follows:

CHAPTER 423. SMALL AND UNDERUTILIZED BUSINESS ENTERPRISE PROGRAM

423.10. Purpose. This ordinance is enacted pursuant to information and evidence of past and ongoing discrimination against qualified and available women-owned and minority-owned business enterprises in the awarding of City of Minneapolis construction and development contracts and contracts for the provision of goods and services. The presence of ongoing discrimination against women-owned and minority-owned business enterprises is evidenced by the study completed by BBC Research and Consulting, in August of 1995 and submitted to the City of Minneapolis and the Minneapolis Community Development Agency. The presence of ongoing discrimination against women-owned and minority-owned business enterprises is also evidenced by the failure of neutral remedies to address the ongoing effects of past discrimination. This ordinance is being enacted to remedy the effects of past discrimination and prevent future discrimination against women-owned and minority-owned business enterprises contracting with the City of Minneapolis and the Minneapolis Community Development Agency. This ordinance is also being enacted to assist small, women-owned and minority-owned business enterprises in becoming viable and permanent participants in the regional economy.

423.20. Policy. It is the policy of the City of Minneapolis and the Minneapolis Community Development Agency that the level of participation of qualified and available small ("SBE"), women-owned ("WBE") and minority-owned ("MBE") business enterprises in public contracts be increased by the implementation of the Small and Underutilized Business Enterprise Program. The City of Minneapolis and Minneapolis Community Development Agency shall set project goals for the participation of SBEs, MBEs and WBEs based upon their qualifications and availability. The level of participation of SBEs, WBEs and MBEs shall be reviewed by the manager of the Small and Underutilized Business Enterprise Program on no less than an annual basis to ensure that:

- (1) the Small and Underutilized Business Enterprise Program remedies no more than the effects of past discrimination;
- (2) the Small and Underutilized Business Enterprise Program does not become and entitlement or quota program for any group; and

(3) the Small and Underutilized Business Enterprise Program does not limit, in any way, the participation of SBEs, WBEs and MBEs in the marketplace.

423.30. Definitions. For the purposes of this chapter, the following words and phrases shall have the meanings set forth in this section, except where the context clearly indicates that a different meaning is intended.

Commercially useful function means a function performed by a business enterprise that is responsible for the execution of a distinct element of the work of a contract and carrying out its responsibilities by actually performing, managing, and supervising the work involved. Acting as a conduit to transfer funds to another business does not constitute a commercially useful function unless it is done as a normal business practice of a particular industry.

Construction and development contracts mean:

- (1) construction and development contracts; or
- (2) any contract involving the construction, alteration, painting or repair of a building or any structure on land; or
- (3) any contract involving the construction, building, alteration, reconstruction, modernization or improvement of any structure; or
- (4) any contract involving the improvement of, or addition to, any capital asset.

Dominant in its field of operation means a business having gross revenues that exceed the Minnesota Department of Administration Standard Industrial Classification (SIC) Code revenue standard for its SIC category.

Goods and services mean the purchase of material, supplies or equipment, or the purchase of trade, technical or professional services.

Marketplace means the geographical area of the Minnesota counties of Anoka, Benton, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, Sherburne, Stearns, Washington, and Wright, and the Wisconsin counties of Pierce and St. Croix.

Minority means a citizen of the United States or lawfully admitted permanent resident who is Asian-American, Native-American, African-American or Hispanic.

Minority-owned business enterprise ("MBE") means a qualified and available business concern, not dominant in its field of operation, with its

principal place of business located in the marketplace at the time of bid opening or solicitation, that is at least fifty-one (51) percent owned by one or more minority persons and is an individual, partnership, corporation, or joint venture that is an independent and continuing enterprise for profit, performing a commercially useful function.

Prime, or prime contractor means a business engaging in construction and development projects by contractual agreement, or in prime contracts. The terms also include a developer that may enter into a contract for a particular construction and development project, and necessarily contemplates that the developer will also enter into other or further contracts for the completion of the said project.

Prime contract means a contract with a prime contractor for the completion of a construction and development project, as to which it is reasonably likely that the prime contractor will use, contract with, or seek bids from one or more subcontractors. A prime contract also includes a prime contract with a developer, where such contract or project necessarily contemplates that the developer will enter into or further contracts for the completion of the project.

Principal place of business means the primary physical location at which or from which a business performs, is maintained, or operates.

Standard Industrial Classification ("SIC") code means the Standard Industrial Classification code as promulgated and maintained by one or more agencies or departments of the United States, and includes any code system which replaces or succeeds the code in existence on July 1, 1997. "SIC" or "SIC Code" shall also include classification codes considered more useful and appropriate by the manager of the Small and Underutilized Business Enterprise Program for carrying out the purposes of this program.

Small business enterprise ("SBE") means a qualified and available business concern, with its principal place of business located in the marketplace at the time of bid opening or solicitation, that is a small business as defined by the Minnesota Department of Administration and is an individual, partnership, corporation, or joint venture that is an independent and continuing enterprise for profit, performing a commercially useful function.

Women-owned business enterprise ("WBE") means a qualified and available business concern, not dominant in its field of operation, with its

principal place of business located in the marketplace at the time of bid opening or solicitation, that is at least fifty-one (51) percent owned by one or more women and is an individual, partnership, corporation, or joint venture that is an independent and continuing enterprise for profit, performing a commercially useful function.

423.40. Applicability and enforcement.

This ordinance applies to any construction contract or development project, or any part of combination thereof, in excess of one hundred thousand dollars (\$100,000.00) in a twelve (12) month period, and any contract for the provision of goods and services in excess of fifty thousand dollars (\$50,000.00) in a twelve (12) month period. Any bid, as to which there is or has been a material lack of compliance with the requirements of this ordinance, shall be deemed to be an unresponsive bid, and such lack of compliance shall be a sufficient basis for the rejection of that bid by the manager of the Small and Underutilized Business Enterprise Program. Every contract covered by this ordinance shall include provisions which

- (1) obligate the prime contractor, developer, or other contractor or vendor to fully comply with the applicable outreach requirements imposed by the manager of the Small and Underutilized Business Enterprise Program;
- (2) provide that failure to so comply is a breach of such contract; and
- (3) provide remedies for such breach.

Every contract covered by this ordinance shall be drafted in such a way to comply with the terms of Section 139.50 of this Code, except to the extent that the terms of Section 139.50 conflict with the terms of this ordinance.

The manager of the Small and Underutilized Business Enterprise Program shall promulgate such rules, regulations and forms as may be needed to carry out the duties and responsibilities set forth herein. The manager of the Small and Underutilized Business Enterprise Program shall establish and make readily available to all potential contractors, vendors and developers the rules of compliance with this ordinance. Such rules shall set forth program methods for establishing participation goals, all outreach requirements for prime contractors and developers to eligible SBEs, WBEs and MBEs, and all other requirements for demonstrating good faith attempts at compliance with the requirements of this ordinance and the rules set forth by the manager of the Small and Underutilized Business Enterprise Program.

423.50. Eligible businesses. Any business which seeks to participate in, or avail itself of the benefits of the Small and Underutilized Business Enterprise Program must be certified as eligible by the manager of the Small and Underutilized Business Enterprise Program, or the manager's designee. The manager of the Small and Underutilized Business Enterprise Program shall maintain a list of eligible businesses. Once a business is certified as eligible by the manager of the Small and Underutilized Business Enterprise Program, or the manager's designee, such eligibility is valid for the following two (2) calendar years from the date of eligibility. Eligible businesses may reapply for eligibility before the expiration of their current eligibility.

The manager of the Small and Underutilized Business Enterprise Program may waive all or part of the eligibility requirements as to any business that has been certified under a program that is substantially similar to this Small and Underutilized Business Enterprise Program.

The manager of the Small and Underutilized Business Enterprise Program, or the manager's designee may terminate the eligibility of any business that no longer meets the eligibility requirements for participation in the Small and Underutilized Business Enterprise Program. Any business that is removed from the eligibility list may appeal such removal pursuant to rules regarding eligibility no later than ten (10) business days after the business receives notification that it has been removed from the eligibility list.

The manager of the Small and Underutilized Business Enterprise Program, or the manager's designee, shall have the authority to verify that the businesses certified as eligible remain eligible, are actually performing the services or providing the goods contracted for, and shall have the authority to conduct on-site inspections of the SBEs, WBEs, or MBEs place of business. Each eligible business shall, upon request, permit access the business' site, business, books, records and files to the manager of the Small and Underutilized Business Enterprise Program, or the manager's designee. Such access shall be during normal business hours and shall only be for the purpose of determining eligibility.

423.60. Administration. (a) The Small and Underutilized Business Enterprise Program staff shall consist of a manager of the Small and Underutilized Business Enterprise Program, a Small and Underutilized Business Enterprise

program technician, and all appropriate clerical staff.

(b) The manager of the Small and Underutilized business Enterprise Program ("Manager") shall report to the director of the Minneapolis Department of Civil Rights. The manager shall administer and direct the Small and Underutilized business Enterprise Program.

(c) The manager shall make all necessary efforts to provide networking and informational resources to the eligible business community and engage in all other feasible outreach efforts to develop and maintain contacts and relationships with the eligible business community.

(d) The manager, or the manager's designee, shall establish and publish updated outreach requirements at the beginning of each fiscal year and the requirements for establishing good faith efforts and compliance with such outreach requirements.

(e) Each contract will be analyzed by the manager on a project by project basis and such levels of participation shall be adjusted as deemed necessary. The desired levels of participation of eligible businesses shall be established and adjusted based on the availability of qualified and eligible businesses. In determining such levels of participation, the manager, or the manager's designee, shall take into account and remove from consideration those part of each contractor which cannot be performed or supplied by qualified and eligible businesses. The manager shall establish reasonable participation levels for eligible business, which may include separate goals for SBEs, WBEs and MBEs.

(f) The manager shall prepare annual reports to be submitted to the director of the Minneapolis Department of Civil Rights. The director of the Minneapolis Department of Civil Rights shall distribute the annual reports to the city council and the mayor, summarizing the information gathered pursuant to this program, including information about any other activities undertaken by or on behalf of the city to further the objectives of the Small and Underutilized Business Enterprise Program. The annual reports shall be made readily available to any member of the public. The manager shall submit quarterly reports to the Civil Rights director.

423.70. City departments. All departments and offices of the city, including the Minneapolis Community Development Agency, shall share in the responsibility for accomplishing the goals and objectives of the Small and Underutilized Business

Enterprise Program. The manager of the Small and Underutilized Business Enterprise Program shall work jointly with each city department and office to establish levels of utilization of eligible businesses in the provision of goods or services to each department or office. Each city department shall designate one employee of the respective department to act as liaison with the Small and Underutilized Business Enterprise Program.

423.80. Expiration of Chapter 423. This chapter of the Minneapolis Code of Ordinances, Chapter 423, shall expire and, absent other action by the city council based on a analysis of the continuing need for the Small and Underutilized Business Enterprise Program, the Small and Underutilized Business Enterprise Program shall cease all operations five (5) years from the date this ordinance is officially enacted.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999. J. Cherryhomes, President of Council.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS – Your Committee, having under consideration the operation of the Curfew Truancy Center, now recommends that the proper City Officers be authorized to issue Fund Availability Notice #Z2-1, under Master Contract #10001, to the Minneapolis Urban League, in the amount of \$119,479, to provide services for the period June 1, 1998 through May 31, 2000, payable from Neighborhood Services (040-860-8605).

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS – Your Committee recommends that the proper City Officers be authorized to execute a Welfare-to-Work Joint Powers Agreement with Hennepin County to jointly operate the welfare reform delivery system with the City for the period July 1, 1999 through June 30, 2000.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS – Your Committee recommends that the proper City Officers be authorized to issue the following Fund Availability Notices (FANs) to provide case management services to at-risk youth in Year Around School-to-Career programs for Program Year 1999, July 1, 1999 through June 30, 2000:

FAN #	Master Contract #	Agency	Amount	Funding
C8-1	10009	HIRED	\$71,226	030-860-8600
C3-1	10009	HIRED	\$23,100	040-860-8600
B9-1	10013	Resource, Inc.	\$51,300	060-860-8600
C3-1	10013	Resource, Inc.	\$42,650	040-860-8600
B9-2	10008	Loring Nicollet Bethlehem	\$25,500	060-860-8600
C3-1	10008	Loring Nicollet Bethlehem	\$22,000	040-860-8600
B9-1	10001	Minneapolis Urban League	\$51,300	060-860-8600
C3-1	10001	Minneapolis Urban League	\$42,650	040-860-8600
B9-1	10007	Pillsbury Neighborhood Services	\$51,300	060-860-8600
C3-1	10007	Pillsbury Neighborhood Services	\$42,650	040-860-8600
B9-1	10021	American Indian OIC	\$28,475	060-860-8600
C3-1	10021	American Indian OIC	\$24,250	040-860-8600

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS – Your Committee, having under consideration the delivery of assessment, case management and job placement services to older/mature workers age 55 and older, now recommends that the proper City Officers be authorized to extend the following Program Year 1998 Fund Availability Notices to continue to offer services for the period July 1, 1998 through December 31, 1999:

FAN #	Master Contract #	Agency	Amount	Funding
A2-1	10002	East Side		
		Neighborhood Services	\$25,000	030-860-8600
A2-1	10013	Resource, Inc.	\$25,000	030-860-8600

Your Committee further recommends that the proper City Officers be authorized to issue the following Program Year 1999 Fund Availability Notices to offer services for the period July 1, 1999 through June 30, 2000:

FAN #	Master Contract #	Agency	Amount	Funding
C6-1	10002	East Side		
		Neighborhood Services	\$25,553	030-860-8600
C6-1	10013	Resource, Inc.	\$17,035	030-860-8600

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS – Your Committee, having under consideration Program Year 1999 allocations for dislocated worker services, now recommends that the proper City Officers be authorized to issue the following Fund Availability Notices to provide services for the period July 1, 1999 through June 30, 2000:

FAN #	Master Contract #	Agency	Amount	Funding
C9-1	10014	MN Department of		
		Economic Security	\$158,500	030-860-8600
D0-1	10014	MN Department of		
		Economic Security	\$475,500	060-860-8600
C9-1	10009	HIRED	\$ 25,000	030-860-8600
D0-1	10009	HIRED	\$ 75,000	060-860-8600
C9-2	10009	HIRED	\$ 13,691	030-860-8600
D0-2	10009	HIRED	\$ 41,075	060-860-8600
C9-1	10013	Resource, Inc.	\$ 23,750	030-860-8600
D0-1	10013	Resource, Inc.	\$471,250	060-860-8600
C9-1	10017	Greater Mpls Day		
		Care Association	\$ 13,200	030-860-8600
D0-1	10017	Greater Mpls Day		
		Care Association	\$ 33,000	060-860-8600

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS – Your Committee, having under consideration the delivery of child care provider training, now recommends that the proper City Officers be authorized to amend Fund Availability Notice #03-3C, under Master Contract #10017, with the Greater Minneapolis Day Care Association, to increase the amount by \$51,160 for a new total amount of \$257,926, payable from Neighborhood Services (060-860-8605).

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS – Your Committee recommends that the proper City Officers be authorized to execute a contract with the Yellow Bike Coalition, in the amount of \$20,000, to provide bike transportation in eligible Minneapolis neighborhoods for the period June 1, 1999 through May 31, 2000, payable from Neighborhood Services (040-860-8600). (Petr No 264923)

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS – Your Committee, having under consideration the pending creation of a Senior Coordinating Board, now recommends that a Senior Coordinating Committee be established to consist of the following elected officials:

City of Minneapolis – two representatives;
 Minneapolis Park Board – one representative;
 Minneapolis Library Board – one representative;
 Minneapolis School Board – one representative;
 Hennepin County Commissioners – two representatives;
 Minnesota State Legislature
 Senate – one representative; House – one representative;
 Minneapolis Mayor
 Hennepin County Attorney

Your Committee further recommends that staff be directed to develop a more concrete budget and a formula for contributions by each of the participants in a Senior Coordinating Board, and that letters be sent to the respective elected bodies requesting their participation and financial support in the endeavor.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS – Your Committee, having under consideration the Adult Employment & Training service providers for the July 1, 1999 through June 30, 2000 program year, now recommends that the proper City Officers be authorized to issue the following Fund Availability Notices:

FAN #	Master Contract #	Agency	Amount	Funding
N/A		Southeast Asian Refugee Community Home	\$18,664	030-860-8600
N/A		Southeast Asian Refugee Community Home	\$14,990	040-860-8600
C4-1	10001	Minneapolis Urban League	\$68,768	030-860-8600
C2-1	10001	Minneapolis Urban League	\$55,232	040-860-8600

C4-1	10004	Summit Academy Opportunities Industrialization Ctr	\$28,838	030-860-8600
C2-1	10004	Summit Academy Opportunities Industrialization Ctr	\$23,162	040-860-8600
C4-1	10009	HIRED	\$49,124	030-860-8600
C2-1	10009	HIRED	\$39,454	040-860-8600
C2-2	10009	HIRED (Resource Room)	\$20,000	040-860-8600
C4-1	10002	East Side Neighborhood Services	\$19,715	030-860-8600
C2-1	10002	East Side Neighborhood Services	\$15,835	040-860-8600
C4-1	10003	Phillips Community Development Corp	\$ 6,655	030-860-8600
C2-1	10003	Phillips Community Development Corp	\$ 5,345	040-860-8600
C4-1	10008	Loring Nicollet Bethlehem Center	\$14,807	030-860-8600
C2-1	10008	Loring Nicollet Bethlehem Center	\$11,893	040-860-8600
C4-1	10010	Anishinabe Council of Job Developers	\$ 3,882	030-860-8600
C2-1	10010	Anishinabe Council of Job Developers	\$ 3,118	040-860-8600
C4-1	10007	Pillsbury Neighborhood Services, Inc.	\$37,712	030-860-8600
C2-1	10007	Pillsbury Neighborhood Services, Inc.	\$30,288	040-860-8600
C4-1	10013	Resource, Inc.	\$31,194	030-860-8600
C2-1	10013	Resource, Inc.	\$25,054	040-860-8600
C9-3	10009	HIRED (Resource Room)	\$ 2,500	030-860-8600
D0-3	10009	HIRED (Resource Room)	\$ 7,500	060-860-8600

Your Committee further recommends that Fund Availability Notices to be issued to Resident Management Corporation, in the amounts of \$23,462 and \$18,843 are contingent upon compliance with the fiscal year 1998 -1999 financial compliance audit conducted in accordance with the City's policy. Any deficiencies noted in such audit must be fully cleared by the Resident Management Corporation prior to the execution of the 1999/2000 contracts and any allocation of program funds to Resident Management Corporation.

Your Committee further recommends that Fund Availability Notices #C4-1 in the amount of \$68,214, and #C2-1 in the amount of \$54,786 to be issued to Hmong American Mutual Assistance Association are contingent upon compliance with the fiscal year 1998 -1999 financial compliance audit conducted in accordance with the City's policy and the audit authorized by the City's Audit Management committee on June 17, 1999. Any deficiencies noted in such audit must be fully cleared by the Hmong American Mutual Assistance Association prior to the execution of the 1999/2000 contracts and any allocation of program funds to Hmong American Mutual Assistance Association. (Petr No 264923)

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **HEALTH & HUMAN SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

H&HS & W&M/Budget – Your Committee, having under consideration the federal Welfare-to-Work program that targets individuals on public financial assistance that have extraordinary barriers to employment, now recommends that the proper City Officers be authorized to accept a grant award and execute a grant agreement with the Minnesota Department of Economic Security, in the amount of \$2,673,414, to provide services to eligible Minnesota Family Investment Program participants for the period July 1, 1999 through September 30, 2001.

Your Committee further recommends passage of the accompanying Resolution appropriating \$2,673,414 to the Neighborhood Services Agency to reflect receipt of said grant funds.

Your Committee further recommends that the proper City Officers be authorized to issue the following Fund Availability Notices to continue to provide funding to 600 added slots so that recipients can continue to obtain services for the period July 1, 1999 through June 30, 2000, payable from Neighborhood Services (030-860-8600):

FAN #	Master Contract #	Agency	Capacity Expansion	Amount
D2-1	10016	Catholic Charities	50 slots	\$150,000
D2-1	10009	HIRED	125 slots	\$375,000
D2-1	10014	MN Department of Economic Security	65 slots	\$195,000
D2-1	10013	Resource, Inc.	185 slots	\$555,000
D2-1	13403	Jewish Vocational Services	75 slots	\$225,000
D2-1	13100	Lutheran Social Service	100 slots	\$300,000

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 99R-218
By Herron and Campbell**

Amending The 1999 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Neighborhood Services Agency in the Grants – Federal Fund (030-860-8600) by \$2,673,414 and increasing the Revenue Source (030-860-8600 – Source 3210) by \$2,673,414.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999. J. Cherryhomes, President of Council.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS & W&M/Budget – Your Committee recommends that the proper City Officers be authorized to accept a grant award and execute a grant agreement with the United States Department of Labor, in the amount of \$300,000, for a Youth Offenders Demonstration Project whereby local youth service providers will create linkages to strengthen the efforts of prevention and recovery services for youth offenders and gang members.

Your Committee further recommends passage of the accompanying Resolution appropriating \$300,000 to the Neighborhood Services Agency to reflect receipt of said grant funds.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 25, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published June 29, 1999)

**RESOLUTION 99R-219
By Herron and Campbell**

Amending The 1999 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Neighborhood Services Agency in the Grants – Federal Fund (030-860-8600) by \$300,000 and increasing the Revenue Source (030-860-8600 – Source 3210) by \$300,000.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999. J. Cherryhomes, President of Council.

Approved June 25, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published June 29, 1999)

H&HS & W&M/Budget – Your Committee recommends that Gretchen Musicant be granted the third step rate of pay of the appointed salary schedule for the position of Director of Programs and Services with the Department of Health and Family Support.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS & W&M/Budget – Your Committee recommends that the proper City Officers be authorized to issue a Request for Proposals for administrative services for the Weed and Seed Program.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The INTERGOVERNMENTAL RELATIONS Committee submitted the following reports:

IGR – Your Committee recommends confirmation of the Mayor's appointment of Will Craig, 2218 Sheridan Av S, Ward 7, to Chair the Census 2000 Minneapolis Complete Count Committee.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

IGR – Your Committee recommends that the Council appoint Council Member Barret Lane to represent the City of Minneapolis on the Metropolitan Aircraft Sound Abatement Council for a term to expire December 31, 2001. Lane will fill the position vacated by Steve Minn.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

IGR – Your Committee recommends passage of the accompanying resolution granting local approval to Laws of Minnesota 1999, Chapter 202, authorizing the City of Minneapolis to issue on-sale liquor licenses.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished July 14, 1999)

RESOLUTION 99R-220

By Thurber

Approving Laws of Minnesota 1999, Chapter 202.

Whereas, the Minnesota State Legislature has passed a law relating to liquor; and

Whereas, said law, by its terms, requires an affirmative vote of a majority of the members of the City Council before it may become effective;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That said law be now approved and the City Clerk be directed to prepare and file with the Secretary of State the required certification of approval.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999. J. Cherryhomes, President of Council.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published July 14, 1999)

The INTERGOVERNMENTAL RELATIONS and ZONING & PLANNING Committees submitted the following report:

IGR & Z&P – Your Committee, having under consideration the Metropolitan Council's effort, currently under way, to analyze costs and revenues relating to different types of land development and redevelopment across the metropolitan area, now recommends that the fiscal analysis zones and land use classifications for the City of Minneapolis, selected by City staff and set forth in Petn No 264928, be approved; and further that City staff be directed to transmit this approval to the relevant Metropolitan Council staff.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS – Your Committee, to whom was referred an ordinance amending Title 13, Chapter 321 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Secondhand Dealers*, changing the application process, requirements and fees for exhibition operator permits, now recommends that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends summary publication of the above-described Ordinance.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 99-Or-070 amending Title 13, Chapter 321 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Secondhand Dealers*, by amending Section 321.440 and Sections 321.460 to 321.520 as follows:

1) creates three distinct classes of exhibition operator permits based on the number of exhibitors;

2) reduces exhibition operator fees for events with fewer than 75 exhibitors;

3) sets times for exhibition operators to submit certain information about known exhibitors and extends final deadline for such information to 3 p.m. of the final business day prior to the exhibition;

4) changes exhibitor licensing to an annual basis;

5) changes exhibitor license fee from \$30 per exhibition to \$45 for one calendar year;

6) reduces exhibitor applications process from once each exhibit to once each calendar year;

7) eliminates \$15 fee and application requirement for each exhibit for exhibitors currently licensed under Chapters 321, 322 or 324;

8) sets final application deadline for new exhibitors at 3:00 p.m. of the second business day prior to the opening of the exhibition.

The ordinance was passed June 25, 1999 by the City Council and approved June 28, 1999 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 99-Or-070

By Biernat

Intro & 1st Reading: 6/11/99

Ref to: PS&RS

2nd Reading: 6/25/99

Amending Title 13, Chapter 321 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Secondhand Dealers.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 321.440 of the above-entitled ordinance be amended to read as follows:

321.440. Permit required. (a) No person, partnership, corporation or association shall hold an exhibition without first obtaining an exhibition operator permit. No person, partnership, corporation or association shall sell, or offer for sale, used or previously owned merchandise, at an exhibition, without first obtaining an exhibitor permit. Applications for exhibitor permits will not be accepted prior to receipt of the application from the exhibition operator.

Exhibition operator and exhibitor permits shall only be valid for the dates and location of a single, specific exhibition, and for a maximum of five (5) consecutive days.

Exhibitor licenses shall expire annually on December 31st or the last day of the exhibition if it includes both December 31st and January 1st of consecutive years.

(b) Exhibitors shall post their permit in a conspicuous manner in their display or sales area of the exhibition, and shall maintain such posting for the duration of the exhibition.

(c) Whenever two (2) or more exhibitors share a common display area at an exhibition, each is required to have a valid exhibitor license.

(e) Exhibition operator and exhibitor permits shall be reviewed and approved, or denied, by the director of licenses and consumer services, in accordance with section 321.540 530 of this article.

Section 2. That the Minneapolis Code of Ordinances be amended by adding thereto a new Section 321.460 to read as follows:

321.460. Exhibition operator permit classification. (a) Exhibition operator permits issued under this article shall be classified by the number of exhibitors that participate in the exhibition.

(1) Class A exhibition operator permits shall be required for any exhibition with more than seventy-five (75) exhibitors.

(2) Class B exhibition operator permits shall be required for any exhibition with fifty (50) to seventy-four (74) exhibitors.

(3) Class C exhibition operator permits shall be required for any exhibition with fewer than fifty (50) exhibitors.

Section 3. That Section 321.460 of the above-entitled ordinance be renumbered and amended to read as follows:

321.460 470. Permit fees. The fees for permits issued under this article shall be:

(a) Class A E exhibition operator. For complete and accurate applications received by the department of licenses and consumer services at least thirty (30) days prior to the first day of the exhibition, the permit fee shall be seven hundred fifty dollars (\$750.00).

(1) If the application is received, or remains incomplete or inaccurate, less than thirty (30) days prior to the first day of the exhibition, an additional fee of seventy-five dollars (\$75.00) late fee will be assessed.

(b) Class B exhibition operator. For complete and accurate applications received by the department of licenses and consumer services at least thirty (30) days prior to the first day of the exhibition, the permit fee shall be five hundred dollars (\$500.00).

(1) If the application is received, or remains incomplete or inaccurate, less than thirty (30) days prior to the first day of the exhibition, a fifty dollar (\$50.00) late fee will be assessed.

(c) Class C exhibition operator. For complete and accurate applications received by the department of licenses and consumer services at least thirty (30) days prior to the first day of the exhibition, the permit fee shall be two hundred fifty dollars (\$250.00).

(1) If the application is received, or remains incomplete or inaccurate, less than thirty (30) days prior to the first day of the exhibition, a twenty-five dollar (\$25.00) late fee will be assessed.

(d) If the total number of exhibitors at an exhibition exceeds the number allowed under the exhibition operator's permit, a new permit for the

correct classification will be issued and any additional fees will be due and payable prior to the opening of the exhibition.

(b e) Exhibitor. For complete and accurate applications received by the department of licenses and consumer services at least seven (7) business days prior to the first day of the first exhibition the exhibitor participates in, on or after January 1st each year, the permit fee shall be thirty ~~forty-five~~ dollars (~~\$30~~ 45.00). If the applicant is currently licensed under Chapter 321 Article I or II, Chapter 322 or Chapter 324, the no permit fee shall be fifteen dollars (\$15.00) required.

(1) If the application is received, or remains incomplete or inaccurate, less than seven (7) business days prior to the first day of the first exhibition the exhibitor participates in, on or after January 1st each year, an additional fee of ten fifteen dollars (\$10 15.00) late fee will be assessed.

(2) Section 321.450 470 (b e)(1) notwithstanding, all applications must be submitted, completely and accurately, to the department of licenses and consumer services, prior to 4 3:00 p.m. of the second business day prior to opening of the first exhibition the exhibitor participates in, on or after January 1st each year.

Section 4. That Section 321.470 of the above-entitled ordinance be renumbered and amended to read as follows:

321.470 480. Application required. (a) Contents. Every applicant for a permit or license defined in this article must submit a complete and accurate application on forms provided by the department of licenses and consumer services. All applicants, in addition to a general personal and penal history, shall be required to submit adequate information to enable a fair determination of their eligibility to hold the permit for which they are applying, including:

(1) For exhibition operator permit applicants, the location, dates and times of the proposed exhibition.

(2) The dates and hours of the exhibition.

(3 2) Whether the applicant holds a current secondhand dealer, precious metal dealer, antique dealer or pawnbroker license from this or any other governmental unit.

(4 3) Whether the applicant has previously been denied, or had revoked or suspended, a secondhand dealer, precious metal dealer, antique dealer, pawnbroker license or exhibition license or permit from this or any other governmental unit.

(5 4) The location at which the applicant's business records are maintained.

(6 5) An executed data privacy advisory and consent form authorizing the release of criminal history information.

(7 6) Applicants for exhibition operator permits must include a complete list of all exhibitors known to them at the time that they make application, including their business name, complete address, phone number and whether they are currently licensed as an exhibitor.

a. If exhibition operator is granted, fifteen (15) days prior to the first day of the exhibition, the operator must submit an updated list to the department of licenses and consumer services of all changes, corrections and additions to the list of known exhibitors submitted with their initial application.

~~(8) b.~~ Exhibition operators must provide a final and complete list of all exhibitors by ~~423:00 noon p.m.~~ of ~~these~~ second last business day prior to the opening date of the exhibition.

(9 7) Such other information as the city council or issuing authority may require.

(b) *Application execution.* All applications for a permit under this ordinance must be signed and sworn to under oath or affirmation by the applicant. If the application is that of a natural person, it must be signed and sworn to by such person; if that of a corporation, by an officer thereof; if that of a partnership, by one of the general partners; and if that of an unincorporated association, by the manager or managing officer thereof.

(c) *Investigation.* The police license inspector shall investigate into the truthfulness of the statements set forth in the application and shall endorse the findings thereon. The applicant must furnish to the police license inspector such evidence as the inspector may reasonably require in support of the statements set forth in the application, or in answer to any questions raised by the investigation.

Section 5. That Section 321.480 of the above-entitled ordinance be renumbered to read as follows:

321.480 490. Bond required. (a) *Exhibition operator.* Before a permit will be issued for an exhibition operator, every applicant must submit a ten thousand dollar (\$10,000.00) exhibition operator bond on forms provided by the department of license and consumer services. All exhibition operator bonds must be conditioned that the operator, and all exhibitors permitted to conduct business at the exhibition, will observe all laws in relation to exhibition operators and exhibitors, will conduct business in conformity

thereto, and that the operator will account for and deliver to any person legally entitled, any goods which have come into the hands of the operator, or the hands of any of its exhibitors, through their business as an exhibition operators or exhibitors, or in lieu thereof, will pay the reasonable value in money to the person. The bond shall contain a provision that no bond may be canceled except upon thirty (30) days written notice to the city, which shall be served upon the department of licenses and consumer services.

(b) *Exhibitor.* Before a permit will be issued for an exhibitor, the department of licenses and consumer services must have in its possession a valid exhibition operator bond issued to the exhibition operator permitted at the location for which the applicant is applying.

Section 6. That Section 321.490 of the above-entitled ordinance be renumbered to read as follows:

321.490 500. Records required. Every exhibitor at an exhibition shall maintain a permanent record of the following information for all goods exhibited:

(a) An accurate description of the item; including, but not limited to, any trademark, identification number, serial number, model number, brand name, or other identifying mark on such item.

(b) Purchase price.

(c) Date, time and place of receipt.

(d) Name and residence address of the person from whom the item was received.

The records required under this section shall be made available for inspection upon request by the police department or the department of licenses and consumer services. Entries shall be maintained for at least three (3) years.

Section 7. That Section 321.500 of the above-entitled ordinance be renumbered and amended to read as follows:

321.500 510. Prohibited acts. No exhibitor may purchase or otherwise receive any secondhand goods item at an exhibition except from another permitted licensed exhibitor at the exhibition.

Section 8. That Section 321.510 of the above-entitled ordinance be renumbered to read as follows:

321.510 520. Police order to hold property. Whenever the chief of police or the chief's designee notifies an exhibition operator or exhibitor not to sell an item, the item shall not be sold or removed from the exhibition. The chief of police or the

chief's designee shall confiscate or release the item prior to the close of the exhibition.

Section 9. That Section 321.530 of the above-entitled ordinance be renumbered to read as follows:

321.520 530. Denial, suspension or revocation. Any permit under this article may be denied, suspended or revoked for one or more of the following reasons:

(a) The proposed use does not comply with the Minneapolis Zoning Code.

(b) The proposed use does not comply with any health, building, building maintenance or other provisions of this Code of Ordinances or state law.

(c) The applicant, exhibition operator or exhibitor has failed to comply with one (1) or more provisions of this article.

(d) The applicant is not a citizen of the United States or a resident alien, or upon whom it is impractical or impossible to conduct a background or financial investigation due to the unavailability of information.

(e) Fraud, misrepresentation, or bribery in securing or renewing a license.

(f) Fraud, misrepresentation or false statements made in the application and investigation for, or in the course of, the applicant's business.

(g) Business practices, or conduct, deemed by the issuing authority to be contrary to the best interests, or safety, of the public.

(h) Violation within the preceding five (5) years, of any law relating to theft, damage or trespass to property, sale of a controlled substance, or operation of a business.

(i) The owner of the premises where the exhibition is planned would not qualify for a license under the terms of this article.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999. J. Cherryhomes, President of Council.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the application of Campus Partners Inc, dba Sally's Saloon & Eatery, 712 Washington Av SE, for an On-Sale Liquor Class B with Sunday Sales License (expansion of premises for sidewalk café) to expire October 1, 1999 and a Sidewalk Café License (new business) to expire April 1, 2000, and having held a public hearing thereon, now recommends that said licenses be granted,

subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the application of B B & D Inc, dba Leaning Tower of Pizza, 2324 Lyndale Av S, for an On-Sale Liquor Class E with Sunday Sales License (expansion of premises for sidewalk café) to expire April 1, 2000 and a Sidewalk Café License (new business) to expire April 1, 2000, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the application of Chevy's Uno LLC, dba Chevy's Fresh-Mex, 701 Hennepin Av, for an On-Sale Liquor Class E with Sunday Sales License (new business) to expire July 1, 2000, and a Sidewalk Café License (new business) to expire April 1, 2000, and having held a public hearing thereon, now recommends that said licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the application of 11th Street Restaurant, Inc, dba Times Bar & Café/Jitters at the Times, 201 E Hennepin, for an On-Sale Liquor Class B with Sunday Sales License (new business) to expire April 1, 2000, and a Sidewalk Café License (new business) to expire April 1, 2000, and having held a public hearing thereon, now recommends that said licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the application of Litespa Inc, dba Litespa Café, 106 S 9th St, Foshay Tower, for a Sidewalk Café License (new business) to expire April 1, 2000, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the application of Annamarie's Inc, dba Annamarie's Bakeshop & Eatery, 820 W 36th St, for a Sidewalk Café License (new business) to expire April 1, 2000, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the application of Northstar Bagel Bakeries Inc, dba Bruegger's Bagel Bakery, 815 25th Av S, for a Sidewalk Café License (new business) to expire April 1, 2000, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends granting the following applications for liquor, wine and beer licenses:

Off-Sale Liquor, to expire July 1, 1999

Michalaur, LLC, dba Hum's Liquor Store, 2126 Lyndale Av S (internal transfer of shares);

On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2000

Ampa Inc, dba Y'all Come Back Saloon, 830 Hennepin Av (temporary expansion of premises and temporary entertainment, June 27, 1999, GLBT Pride Block Party);

On-Sale Liquor Class A with Sunday Sales, to expire July 1, 2000

Screaming Triangle LLC, dba Minneapolis Eagle, 515 Washington Av S (temporary expansion of premises and temporary outdoor entertainment, June 25, 1999, 8:00 p.m. to 1:00 a.m.; June 26, 1999, 4:00 p.m. to 1:00 a.m.; and June 27, 1999, 10:00 a.m. to 1:00 p.m.);

On-Sale Liquor Class B with Sunday Sales, to expire January 1, 2000

River Jakes Inc, dba Nye's Polonaise Room 112 E Hennepin (change in ownership from Andy's of Minneapolis, Inc);

On-Sale Liquor Class B with Sunday Sales, to expire April 1, 1999

Minneapolis American Legion Post #1, dba Minneapolis American Legion Post #1, 2532 25th Av S (temporary expansion of premises, July 4, 1999, noon to 6:00 p.m.);

On-Sale Liquor Class C-1 with Sunday Sales, to expire April 1, 1999

It's Greek to Me Inc, dba It's Greek to Me, 626 W Lake St (outdoor courtyard expansion);

On-Sale Liquor Class E with Sunday Sales, to expire April 1, 2000

Pizza Luce, Inc, dba Pizza Luce, 119 N 4th St (expansion of premises);

Temporary On-Sale Liquor

Kenwood Isles Area Association, 2441 W 22nd St (June 9, 1999, 6:00 p.m. to 9:00 p.m., at Calhoun Beach Club; Licensed Facilitator: Calhoun Beach Club);

Basilica of St Mary, dba Basilica Block Party, 88 N 17th St (July 9 & 10, 1999 from 5:00 p.m. to 10:30 p.m.; Licensed Facilitator: Gabe's on Central);

On-Sale Wine Class A with Strong Beer, to expire April 1, 2000

CBC Downtown Tennis/Athletic Club Inc, dba Regency Athletic Club & Spa, 1300 Nicollet Mall (upgrade to Class A for indoor premises only);

On-Sale Wine Class E with Strong Beer, to expire April 1, 2000

Friends of the Revolution Inc, dba Auriga, 1934 Hennepin Av (temporary expansion with

entertainment, June 19, 1999 from 3:00 p.m. to 12:00 a.m.);

Mighty Wrapps LLC, dba Mighty Wrapps, 3001 Hennepin Av (internal transfer of shares);

Off-Sale Beer, to expire April 1, 2000

Emporio Inc, dba Center Village Shop, 700 5th Av S;

Jerry's Enterprises, Inc, dba Cub Foods-Lake Street, 2850 26th Av S;

On-Sale Beer Class E, to expire April 1, 1999

Silva Filomena & Mayble Anderson, 3554 Penn Av N (internal partnership change);

On-Sale Beer Class E, to expire April 1, 2000

Yukon Club Inc, dba Yukon Club, 320 W Lake St.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends granting the following applications for business licenses as per list on file and of record in the Office of the City Clerk under date of June 25, 1999, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petr No 264931):

Bill Posting & Sign Painting; Building Contractor Class A; Building Contractor Class B; Cement Finisher; Contractor/Masonry Class A; Contractor/Masonry Class B; Caterers; Confectionery; Farm Produce (Profit or Non-Profit Permit); Grocery; Food Manufacturer; Restaurant – Drive In; Restaurant; Short-Term Food Permit; Seasonal Short Term Food Establishment; Sidewalk – Cafe, Permit; Gas Fitter Class A; Lodging House; Lodging with Boarding House; Motor Vehicle Dealer – New & Used; Motor Vehicle Dealer – Used Only; Motor Vehicle Dealer – Additional Lots; Plumber; Secondhand Dealer Class B; Sign Hanger; Suntanning Facilities; Swimming Pools; Tattooing; Taxicab – Neighborhood Rideshare; Tobacco Dealers; Tradesman-Combination; and Wrecker of Buildings Class B.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends granting the following applications for gambling licenses, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

Gambling Lawful Class A

James Ballentine VFW Post 246, 2916 Lyndale Av S (site: James Ballentine VFW #246, 2916 Lyndale Av S);

Gambling Lawful Exempt

Boys & Girls Club of Minneapolis, 2323 11th Av S (raffle November 28, 1999, at Smiling Moose & Grill, 3001 Hennepin Av):

Evang Luth Good Samaritan Society, 4800 W 57th St, Sioux Falls, SD (raffle June 28, 1999 at University Good Samaritan, 22 27th Av SE);

Seward Neighborhood Group, 2412 E Franklin Av (September 28, 1999, at Seward Montessori School, 2309 28th Av S);

Chance to Grow Inc, 1800 NE 2nd St (raffle, October 3, 1999).

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration Taxicab Driver's License #04480 held by Golden Osagiede, 8020 83rd Av N, Brooklyn Park, and having been notified by Red and White Taxi that the licensee drove taxi on four occasions after his taxicab driver's license had expired, and having received notification that the licensee has agreed to forgo a Technical Advisory Committee (TAC) hearing thereon and to stipulate that the Findings of Fact, Conclusions and Recommendations are true and correct, now recommends adoption of the following recommendations, as more fully set forth in said Findings, which are on file in the Office of the City Clerk and made a part of this report by reference:

a. that the licensee pay a fine of \$200 to the City of Minneapolis, with \$100 being payable at the time of renewal of his taxicab drivers license renewal on June 10, 1999, and \$100 being stayed for a period of one year, provided there are no same or similar offenses; and

b. that a copy of the TAC Agreement be forwarded to Red and White Taxi for possible other sanctions by the company; and

c. that the licensee take measures to ensure that the violation does not occur again in the future.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration “Operation Cold Snap” activities held in December 1998 whereby the City of Minneapolis supported the Minnesota Department of Public Safety with the eviction of trespassers and protestors who had occupied houses and property on the Highway 55 construction route, now recommends that the proper City Officers be authorized to execute a Joint Powers Agreement with the State of Minnesota to provide for reimbursement of City expenses amounting to \$165,634.35 for officer overtime and miscellaneous expenses incurred as a result of the Operation Coldsnap activities. Further, that the proper City Officers be authorized to invoice the State for recovery of said costs.

Adopted. Yeas, 11; Nays none.

Declining to Vote – Niland, Goodman.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the Rental Dwelling License held by Scott Schmidt for the property located at 2914 Dupont Av N, now recommends concurrence with the recommendation of the Director of Inspections that said license be revoked and that the building be vacated for failure to meet the conduct on licensed premises standards, pursuant to Section 244.2020 of the Minneapolis Code of Ordinances.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the City’s continuing initiative to reduce youth access to alcohol by conducting 250 compliance checks of licensed establishments during 1999, now recommends that the Police License Investigation Division be authorized to

purchase covert audio tape recording equipment, in the amount of \$9,800, to be utilized by decoys during underage buy attempts.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **TRANSPORTATION & PUBLIC WORKS** Committees submitted the following report:

PS&RS & T&PW – Your Committee, having received a report from the Police Department regarding its facilities and preliminary needs assessment, now recommends support for the development of a master facilities plan to address the Police Department’s facilities needs. Further, that staff be directed to begin implementation of the process.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

PS&RS & W&M/Budget – Your Committee, having under consideration education activities associated with the United States Housing and Urban Development Round IV Lead Hazard Reduction Grant, now recommends that the proper City Officers be authorized to execute an amendment to Agreement No 13087 with the Metropolitan Visiting Nurse Association to extend the performance period through December 31, 1999 in order to complete educational program activities.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget – Your Committee recommends that the proper City Officers be authorized to accept a grant award and execute a grant agreement with the State of Minnesota, Department of Public Safety, to receive \$8,960.53

of Community Notification Reimbursement grant funding as reimbursement of Police Department expenses incurred as a result of conducting Level 2 and Level 3 sex offender notification flyer distribution and meetings, to comply with the State's Sex Offender Notification law.

Your Committee further recommends passage of the accompanying Resolution appropriating \$8,960.53 to the Police Department to reflect receipt of said grant funds.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-221
By Biernat and Campbell

Amending The 1999 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants – Other Fund (060-400-E003) by \$8,960.53 and increasing the Revenue Source (060-400-E003 – Source 3215) by \$8,960.53.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999. J. Cherryhomes, President of Council.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget – Your Committee recommends that the proper City Officers be authorized to execute contracts with Graffiti Removal Service and Sani-Masters, Inc, in the amount of \$130,000 per contractor, to provide services relating to the removal of graffiti from sensitive surfaces and the application of sacrificial coatings for protection of surfaces such as brick, stucco, concrete block and marble over a two-year period commencing July 1, 1999 and terminating April 30, 2001, payable from Inspections (010-850-8510).

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

T&PW – Your Committee, having under consideration the Kenwood Water Pumping Station that was constructed on State land which will now be conveyed to the City, now recommends accepting a Quit Claim Deed from the State of Minnesota Department of Transportation for the following described land:

All of Tract A described below:

Tract A

That part of The Parade of the City of Minneapolis, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota described as follows: Commencing at the northwest corner of Block 5, Groveland Addition to the City of Minneapolis; thence southerly along the westerly line of said Block 5 and its southerly extension for 325.89 feet; thence deflect to the right at an angle of 89 degrees 56 minutes 13 seconds for 145.38 feet; thence deflect to the right on a 03 degree 00 minute 00 second curve (delta angle 07 degrees 12 minutes 24 seconds) for 240.22 feet; thence on tangent to said curve for 19.75 feet; thence deflect to the left on a 02 degree 55 minute 57 second curve (delta angle 07 degrees 12 minutes 24 seconds) for 245.75 feet; thence on tangent to said curve for 341.9 feet; thence deflect to the right on a 12 degree 00 minute 00 second curve (delta angle 52 degrees 20 minutes 33 seconds) for 436.19 feet; thence northwesterly on tangent to said curve for 100 feet; thence southeasterly on the last described course for 103.69 feet; thence deflect to the right at an angle of 82 degrees 20 minutes 54 seconds for 157.82 feet; thence deflect to the right on a 02 degree 00 minute 00 second curve (delta angle 14 degrees 24 minutes 57 seconds) for 720.8 feet; thence on tangent to said curve for 754.82 feet; thence deflect to the left at an angle of 90 degrees 00 minutes 00 seconds for 100 feet; thence deflect to the right at an angle of 90 degrees 00 minutes 00 seconds for 250.0 feet to the point of beginning of Tract A to be described; thence continue on the last described course for 39.0 feet; thence deflect to the right at an angle of 135 degrees 00 minutes 00 seconds for 26.87 feet; thence deflect to the right at an angle of 88 degrees

31 minutes 52 seconds for 27.59 feet to the point of beginning.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the Midtown Greenway Trail Project and an easement needed to connect the trail to Bryant Av S in the vicinity of W 29th St, now recommends accepting an Easement Deed from the Sowles Company for the easement described below:

Recreational Trail Easement

An easement for recreational trail purposes over, under and across the following described land:

The S 10 ft of the W 60 ft of Lot 6, Blk 15, Windoms Addn, according to the recorded plat thereof, Hennepin County, Minnesota.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration a request of Phoenix Property Company for relocation of a water main related to construction of the Seven Corners Student Housing Development at 19th and Washington Av S and an easement required for a water hydrant line in the same area, now recommends that the proper City officers be authorized to accept two Easement Deeds from the University of Minnesota for the easement described as follows:

Easement No. 1

A permanent 10 foot easement for water main purposes over, under and across that part of Lots 6 and 7, Block 167, Town of Minneapolis, Hennepin County, Minnesota and that part of vacated 19th Avenue South as dedicated in said Town of Minneapolis, the centerline of said easement is described as follows:

Commencing at the Southwest corner of said Lot 6; thence northerly along the west line of said Block 167, a distance of 83.00 feet; thence westerly deflecting to the left 90 degrees 00 minutes 00 seconds, a distance

of 35.00 feet to the point of beginning of the centerline to be described; thence easterly, deflecting to the left 180 degrees 00 minutes 00 seconds, a distance of 120.00 feet, thence southerly, deflecting to the right 90 degrees 00 minutes 00 seconds, a distance of 100.00 feet and said centerline there terminating.

The sidelines of said easement should be prolonged or shortened to intersect the northerly right of way line of State Highway Number 12 and the easterly right of way line of 19th Avenue South.

Easement No. 2

That part of Lot 6 and the west 33.00 feet of Lot 7, Block 167, Town of Minneapolis, Hennepin County, Minnesota, lying southerly of a line parallel to and 43.00 feet northwesterly of the following described line:

Commencing at a point on the center line of Cedar Avenue, distant 234.6 feet north of its intersection with the center line of Third Street South (as located east of said Cedar Avenue); thence run northeasterly at an angle of 75 degrees 57 minutes 30 seconds with the center line of said Cedar Avenue for a distance of 918.70 feet; thence deflecting 90 degrees 00 minutes 00 seconds to the left for a distance of 30 feet to the point of beginning of the line to be described; thence deflect to the left at an angle of 90 degrees for 100 feet; thence deflect to the right on a 04 degrees 00 minutes curve (delta angle 10 degrees 30 minutes) for 262.5 feet thence on tangent to said curve for 100 feet and there terminating.

Your Committee further recommends that the City Engineer be authorized to co-sign the necessary easement documents on behalf of the City.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration plans of the Stevens Square – Loring Heights neighborhood to place landscaping along the south side of Highway I-94 between LaSalle and Third Av S with the assistance of the City and funding from the Minnesota Department of Transportation (MnDOT), now recommends

passage of the accompanying resolution authorizing execution of an agreement with MnDOT for said landscaping.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-222

By Mead

Directing the proper City officers to execute a landscape partnership permit and agreement with the Minnesota Department of Transportation (MnDOT) in the Stevens Square – Loring Heights neighborhood.

Whereas, MnDOT and the City have prepared plans for landscape planting on the south edge of Highway I-94 between LaSalle Av and Third Av S; and

Whereas, MnDOT has prepared a landscape partnership permit and agreement for the subject project detailing each party's responsibilities; and

Whereas, the Stevens Square – Loring Heights neighborhood supports this project;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the proper City officers be directed to execute a landscape partnership permit and agreement (MnDOT Agreement No. 78843) with MnDOT for the Stevens Square – Loring Heights Neighborhood Landscaping Project, designated by MnDOT as State Project No. 2781-969D (T.H. 94-392).

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999. J. Cherryhomes, President of Council.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration a request from the Fire Chief to change priorities within the Building and Facility Improvement Capital Program to enable two priority projects to proceed, now recommends:

a) Authorization to use \$38,500 of the 1997 GM-1 capital appropriation for structural reinforcement of the apparatus floor at Fire Station #10 in order to accommodate a new fire rescue truck at that facility; funding is made available through deferral of the 1997 Fire Station #19 Air-Conditioning Project (\$38,500) to a later year;

b) Authorization to use \$30,000 of the 1999 GM-1 capital appropriation for renovation of the heating system at Fire Station #7; funding is made available through deferral of the 1999 Fire Station #16 Boiler Burner Replacement Project (\$30,000) to a later year.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the Dinkytown Bikeway Connection, now recommends that the proper City officers be authorized to transfer \$250,233.08 of net debt bond funds to the Minnesota Department of Transportation (MnDOT) for award of a construction contract to Edward Kraemer and Sons, Inc. in the amount of \$1,227,165.40 for the construction of the Dinkytown Bikeway Connection Project. Funds are available in the Public Works – Transportation Capital Agency (4100-943-9470) for the local portion of the contract.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 25, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published June 29, 1999)

The **TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

T&PW & W&M/Budget – Your Committee recommends acceptance of the following bids in accordance with City specifications (Petr No 264946):

a) OP #5155, low bid submitted by Tri State Drilling, Inc. in the amount of \$31,000 for furnishing and delivering all labor, materials, equipment and incidentals necessary to install drill holes for the Public Works Water Department East Yard; and

b) OP #5151, low bid of Knutson Construction Services, Inc. in the amount of \$11,327,000 for furnishing all labor, materials and incidentals necessary for the construction of a 34 million gallon Hilltop Reservoir.

Your Committee further recommends that the proper City Officers be authorized to execute contracts for the above projects and/or services, in accordance with City specifications.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 25, 1999. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.
(Published June 29, 1999)

T&PW & W&M/Budget – Your Committee, having under consideration the City's current policy relating to utility bill mailing inserts (Petr No 264944 on file in the Office of the City Clerk, now recommends:

a) That the current policy be reaffirmed (not including the 1999 schedule) with the addition of snow removal information as a priority insert; and

b) That the proper City staff be directed to report to the Transportation & Public Works and Ways & Means/Budget Committee in January of each year for a discussion of scheduled inserts for the year.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration a proposal to use federal funds originally granted to the City for a Nicollet Mall shuttle project for the purchase of alternative fuel buses, now recommends that the proper City officers be authorized to execute Metropolitan Council Joint Powers Agreement 98-020 providing for the following:

a) Purchase by the Metropolitan Council of five non-polluting buses to be used on the Nicollet Mall;

b) Allowing the City to deposit \$2.4 million in Federal Transit Administration funds with the Metropolitan Council to carry out the bus purchase and operations; the Metropolitan Council will provide the \$600,000 in match funds required for the FTA grant; any balances remaining at the end of the process shall be returned to the City;

c) Passage of the accompanying resolution appropriating \$2,400,000 to the PW – Transportation Capital Agency for deposit with the Metropolitan Council.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-223
By Mead and Campbell

**Amending The 1999 Capital Improvement
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW – Transportation Capital Agency in the Federal Grants Fund (0300-943-9464) by \$2,400,000 and increasing the revenue source (0300-943-9464 – Source 3210) by \$2,400,000 to be reimbursed by a Federal Transit Administration grant.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999. J. Cherryhomes,
President of Council.

Approved June 28, 1999. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration the Federal Reserve Bank project which includes redesign of the intersection of 1st St N and Hennepin Av (Bridge Square), now recommends that the proper City officers be authorized to negotiate and execute an agreement with Hellmuth, Obata & Kassabaum, Inc. (HOK) for design of the Bridge Square intersection at a cost not to exceed \$58,500.

Your Committee further recommends passage of the accompanying resolution appropriating \$58,500 to the PW – Transportation Capital Agency for said contract with HOK, to be reimbursed by the Federal Reserve Bank.

Adopted. Yeas, 12; Nays, 1 as follows:

Yeas – Lane, McDonald, Johnson, Thurber, Ostrow, Campbell, Biernat, Niland, Goodman, Herron, Mead, Cherryhomes.

Nays – Colvin Roy.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-224
By Mead and Campbell

**Amending The 1999 Capital Improvement
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing PW – Transportation Capital Agency in the Permanent Improvement Projects Fund (4100-943-9464) by \$58,500 and increasing the revenue source (4100-943-9464 – Source 3720) by \$58,500 to be reimbursed by the Federal Reserve Bank.

Adopted. Yeas, 12; Nays, 1 as follows:

Yeas – Lane, McDonald, Johnson, Thurber, Ostrow, Campbell, Biernat, Niland, Goodman, Herron, Mead, Cherryhomes.

Nays – Colvin Roy.

Passed June 25, 1999. J. Cherryhomes, President of Council.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration a report outlining the framework of a comprehensive facilities, space and asset management program for the City and having reviewed the roles and responsibilities of the City Coordinator and City Engineer in the program, now recommends:

a) Establishment of the Facilities, Space and Asset Management Committee (to replace the existing Space Planning Committee established by Council action on November 12, 1992), to be established within six months, with the following responsibilities:

Recommendation of space policies and procedure for consideration by the City Council and Mayor;

Prioritization and planning for space related capital projects;

Approval of strategic facilities plans;

Approval of requests for exclusion from policies or procedures;

Approval of major departmental moves;

Resolution of facility or space management issues as appropriate;

Membership of the committee shall be as follows:

City Coordinator, — Co-Chair;

City Engineer, — Co-Chair;

Department Head — Rotating, for a term of two-years;

Department Head — Rotating, for a term of two years;

Director of Budget and Financial Planning — Standing;

Facility Manager — Staff;

Space and Asset Manager — Staff;

Municipal Building Commission and other departmental representatives will be invited to attend as appropriate;

b) That the proper City staff be directed to report on funding issues and strategies for the program, including space policies, procedures and standards, and submit them to the City Council and Mayor for approval within one year of hiring of the Space and Asset Manager and Facility Manager.

Your Committee further recommends that as a regular policy, all requests involving facilities, space and asset management issues be required to be reviewed by the Facilities, Space and Asset Management Committee before being presented to the appropriate City Council Committee(s) for further discussion and consideration.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration preliminary plans for the Avenue of the Arts (Petn No 264943), a plan to transform Third Av S into a signature street to celebrate the arts and promote economic development, now recommends:

a) Approval of the conceptual design plan and preliminary finance plan for the Avenue of the Arts;

b) Authorization to issue a Request for Proposal (RFP) for design of the Third Av Bridge;

c) Authorization for the proper City officers to enter into a partnership agreement with the Minnesota Department of Transportation regarding the design and construction of the Third Av Bridge.

Your Committee further recommends that staff be authorized and directed to develop a final finance plan for the project and report back to the Transportation & Public Works and Ways & Means/Budget Committee by August 1999.

Mead moved to amend the report by changing Paragraph A to read as follows:

“a) Approval of the conceptual design plan and receipt of the preliminary finance plan for the Avenue of the Arts;” Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **WAYS & MEANS/BUDGET** Committee submitted the following reports:

W&M/Budget – Your Committee recommends concurrence with the recommendation of the Convention Center Implementation Committee to approve continued use of the traditional bonding approach on the Convention Center Expansion Project.

Your Committee further recommends acceptance of the Commitment of the Surety Association to their small business enterprise (SBE) initiatives and further recommends that appropriate staff be directed to work with the Surety Association to establish accountability and effectiveness regarding said initiatives.

Your Committee further recommends that appropriate staff be directed to continue to examine alternative bonding approaches for future City projects.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration the City's participation in the Metropolitan Council's Fiscal Impacts Analysis Study intended to analyze the costs and revenues of different types of development and redevelopment across the metropolitan area, now recommends approval of the following analysis zones, as selected by City staff:

- 1) Central Community (downtown);
- 2) University and Longfellow Communities (industrial areas — SEMI, Seward and Mid-City);
- 3) Camden, Near-North, Northeast and Phillips (moderate income areas); and
- 4) Nokomis, Southwest and Calhoun Isles (middle and upper income areas).

Your Committee further recommends approval of the eight proposed land-use classifications, which include low-density residential; medium-density residential and high-density residential; office-residential; small scale and general commercial; industrial; and downtown, with the understanding that these classifications also coordinate closely with the proposed new zoning code and mapping.

Your Committee further recommends that appropriate staff be directed to transmit this document of approval to relevant Metropolitan Council staff.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the following lawsuits filed against the City be settled and be payable, as follows:

a) Ronald Wiederholt and his attorney, David A. Singer, \$9,500, payable from 6900-150-1500-6070;

b) Laurie Brown and her attorney, Raymond R. Peterson, \$21,324.23, and Capital Planning, Inc, \$8,675.77, payable from 6900-150-1500-6070; and

c) Lauren Bilges and his attorney, Albert Rosenbower, \$60,000, payable from 6900-150-1500-4000.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends settlement of a lawsuit filed against the City, with payment to be made to James D. Carlisle and his attorney, Nancy K. Olkon, in the amount of \$7,000, with said payment to be charged against the cost of the sale of Carlisle's forfeited property.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends settlement of a claim for attorney's fees, as itemized and submitted by the plaintiff's attorney, in the matter of Shabazz vs. Miller, et al, and further recommends that payment be made to Larry E. Reed, in the amount of \$27,500, payable from 6900-150-1500-4000.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration a request to transfer funds, in the amount of \$77,000, from the Fiscal Year 1998-1999 Federal Central Weed and Seed fund to the following entities, for the amounts indicated:

a) Grants and Special Projects, in the amount of \$24,000, for Personnel, Weed and Seed Coordinator;

b) Police Department, in the amount of \$22,000, for Personnel Overtime;

c) Minneapolis Employment and Training Program (METP), in the amount of \$13,000, for Citation Savers;

d) Minneapolis Park and Recreation Board, in the amount of \$12,000; and

e) Minneapolis Library Board, in the amount of \$6,000, for Hosmer Community Library.

Your Committee further recommends passage of the accompanying resolution providing for said transfer of funds.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 99R-225

By Campbell

Amending The 1999 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by:

a) decreasing the Non-Departmental Agency Appropriation in the Federal Grants Fund (0300-123-1230-5130) by \$77,000;

b) increasing the Communications Agency Appropriation in the Federal Grants Fund (0300-800-8031-4000), in the amount of \$24,000;

c) increasing the Police Department Agency Appropriation in the Federal Grants Fund (0300-400-P300-4200), in the amount of \$22,000;

d) increasing the Neighborhood Services Agency Appropriation in the Federal Grants Fund (0300-860-8600-4000) by \$13,000;

e) increasing the Interfund Transfer Agency Appropriation in the Federal Grants Fund (0300-127-1270-9075) by \$12,000 for transfer to the Minneapolis Park and Recreation Board; and

f) increasing the Interfund Transfer Agency Appropriation in the Federal Grants Fund (0300-

127-1270-9075) by \$6,000 for transfer to the Minneapolis Library Board.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999. J. Cherryhomes, President of Council.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends approval of a request from the Minneapolis Park and Recreation Board to include in the City's July, 1999 utility billings a message relating to clean lakes and rivers, at a charge of .015 cents per insert.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends acceptance of the low bid received on OP #5166 (Petn No 264950), submitted by Havens Steel Company, in the amount of \$17,493,000, for furnishing and delivering all material, labor, equipment and incidentals necessary to accomplish the construction of Contract #8, Bid Package #2, for the Convention Center Expansion Project, all in accordance with City plans, specifications and addenda, and in concurrence with the recommendation of the Convention Center Implementation Committee.

Your Committee further recommends that the proper City officers be authorized to execute a contract for said project.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 25, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published June 29, 1999)

W&M/Budget – Your Committee recommends concurrence with the recommendation of the Executive Committee to approve creation of the new, appointed classification of Director, Office of Cultural Affairs, to be placed at Grade 11.

Your Committee further recommends passage of the accompanying amendment to the

Salary Ordinance, setting the salary for said position, based on studies conducted by the Department of Human Resources, to be effective June 28, 1999.

Your Committee further recommends summary publication of said ordinance.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 99-Or-071, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Director, Office of Cultural Affairs, was passed June 25, 1999 by the City Council and approved June 28, 1999 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 99-Or-071
By Campbell**

1st & 2nd Readings: 6/25/99

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

**Appointed Officials (CAP)
Effective: June 28, 1999**

FLSA	OTC	CLASSIFICATION	PTS	G	P	Start	After 1 Year	After 3 Years	After 6 Years
E	1	Director, Office of Cultural Affairs	500	11	A	\$60,365	63,542	65,448	66,719

Section 2: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

**Appointed Officials (CAP)
Effective: January 1, 2000**

Schedule a:

FLSA	OTC	CLASSIFICATION	PTS	G	P	Start	After 1 Year	After 3 Years	After 6 Years
E	1	Director, Office of Cultural Affairs	500	11	A	\$61,874	\$65,131	\$67,084	\$68,387

Schedule b*:

FLSA	OTC	CLASSIFICATION	PTS	G	P	Start	After 1 Year	After 3 Years	After 6 Years
E	1	Director, Office of Cultural Affairs	500	11	A	\$62,176	\$65,448	\$67,411	\$68,721

*Schedule (b), above, shall be in effect should the City's General Fund revenue increase more than 3% for the year 2000 over the 1999 General Fund revenue.

Adopted. Yeas, 13; Nays none
Passed June 25, 1999. J. Cherryhomes, President of Council.
Approved June 28, 1999. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends concurrence with the recommendation of the Executive Committee to approve creation of the new, appointed position of Director, Central Services Bureau, to be placed at Grade 16.

Your Committee further recommends passage of the accompanying amendment to the Salary Ordinance, setting the salary for said position, based on studies conducted by the Department of Human Resources, to be effective March 2, 1999, and authorizing payment of back pay to the affected employee.

Your Committee further recommends summary publication of said ordinance.
Adopted. Yeas, 13; Nays none.
Passed June 25, 1999.
Approved June 28, 1999. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

Ordinance 99-Or-072, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Director, Central Services Bureau, was passed June 25, 1999 by the City Council and approved June 28, 1999 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 99-Or-072
By Campbell

1st & 2nd Readings: 6/25/99

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-weekly Rates)

Appointed Officials (CAP)
Effective: March 2, 1999

FLSA	OTC	CLASSIFICATION	PTS	G	P	Start	After 1 Year	After 3 Years	After 6 Years
E	1	Director, Central Services Bureau	733	16	B	\$3,420	\$3,600	\$3,708	\$3,780

Section 2: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-weekly Rates)

Appointed Officials (CAP)
Effective: January 1, 2000

Schedule a:

FLSA	OTC	CLASSIFICATION	PTS	G	P	Start	After 1 Year	After 3 Years	After 6 Years
E	1	Director, Central Services Bureau	733	16	B	\$3,506	\$3,690	\$3,801	\$3,875

Schedule b*:

FLSA	OTC	CLASSIFICATION	PTS	G	P	Start	After 1 Year	After 3 Years	After 6 Years
E	1	Director, Central Services Bureau	733	16	B	\$3,523	\$3,708	\$3,819	\$3,893

*Schedule (b), above, shall be in effect should the City's General Fund revenue increase more than 3% for the year 2000 over the 1999 General Fund revenue.

Adopted. Yeas, 13; Nays none
 Passed June 25, 1999. J. Cherryhomes, President of Council.
 Approved June 28, 1999. S. Sayles Belton, Mayor.
 Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends approval to fund the newly created Space and Asset Management function for the remainder of 1999, with a projected September 1, 1999 hiring date of the Space and Asset Manager, at an estimated cost including personnel expenses, equipment and contractual services, in the amount of \$80,000.

Your Committee further recommends passage of the accompanying resolution increasing the Finance Department Agency Appropriation by \$80,000.

Adopted. Yeas, 13; Nays none.
 Passed June 25, 1999.
 Approved June 28, 1999. S. Sayles Belton, Mayor.
 Attest: M. Keefe, City Clerk.

RESOLUTION 99R-226
By Campbell

Amending The 1999 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:
 That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Finance Department Agency in the General Fund (0100-820-8295) by \$80,000.

Adopted. Yeas, 13; Nays none.
 Passed June 25, 1999. J. Cherryhomes, President of Council.
 Approved June 28, 1999. S. Sayles Belton, Mayor.
 Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends concurrence with the recommendation of the Executive Committee to approve creation of the new, appointed classification of Space and Asset Manager, to be placed at Grade 12.

Your Committee further recommends passage of the accompanying amendment to the Salary Ordinance, setting the salary for said position, based on studies conducted by the Department of Human Resources, to be effective June 28, 1999.

Your Committee further recommends summary publication of said ordinance.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 99-Or-073, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Space and Asset Manager, was passed June 25, 1999 by the City Council and approved June 28, 1999 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 99-Or-073

By Campbell

1st & 2nd Readings: 6/25/99

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

Appointed Officials (CAP)

Effective: June 28, 1999

FLSA	OTC	CLASSIFICATION	PTS	G	P	Start	After 1 Year	After 3 Years	After 6 Years
E	1	Space and Asset Manager	548	12	A	\$66,313	69,804	71,898	73,294

Section 2: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

Appointed Officials (CAP)

Effective: January 1, 2000

Schedule a:

FLSA	OTC	CLASSIFICATION	PTS	G	P	Start	After 1 Year	After 3 Years	After 6 Years
E	1	Space and Asset Manager	548	12	A	\$67,971	71,549	73,695	75,126

Schedule b*:

FLSA	OTC	CLASSIFICATION	PTS	G	P	Start	After 1 Year	After 3 Years	After 6 Years
E	1	Space and Asset Manager	548	12	A	\$68,302	71,898	74,055	75,493

*Schedule (b), above, shall be in effect should the City's General Fund revenue increase more than 3% for the year 2000 over the 1999 General Fund revenue.

Adopted. Yeas, 13; Nays none
 Passed June 25, 1999. J. Cherryhomes, President of Council.
 Approved June 28, 1999. S. Sayles Belton, Mayor.
 Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends concurrence with the recommendation of the Executive Committee to approve creation of the new position of Facility Manager, to be placed at Grade 12.

Your Committee further recommends passage of the accompanying amendment to the Salary Ordinance, setting the salary for said position, based on studies conducted by the Department of Human Resources, to be effective June 28, 1999.

Your Committee further recommends summary publication of said ordinance.

Adopted. Yeas, 13; Nays none.
 Passed June 25, 1999.
 Approved June 28, 1999. S. Sayles Belton, Mayor.
 Attest: M. Keefe, City Clerk.

Ordinance 99-Or-074, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Facility Manager, was passed June 25, 1999 by the City Council and approved June 28, 1999 by the Mayor. A complete copy of this ordinance is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 99-Or-074
By Campbell
1st & 2nd Readings: 6/25/99

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

Non-Represented (CNR)
Effective: June 28, 1999

FLSA	OTC	CLASSIFICATION	PTS	G	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
E	1	Facility Manager	583	12	B	2332	2441	2550	2659	2768	2877	2986

Section 2: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

Non-Represented (CNR)
Effective: January 1, 2000

Schedule a:

FLSA	OTC	CLASSIFICATION	PTS	G	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
E	1	Facility Manager	583	12	B	2390	2502	2614	2725	2837	2949	3061

Schedule b*:

FLSA	OTC	CLASSIFICATION	PTS	G	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
E	1	Facility Manager	583	12	B	2402	2514	2627	2739	2851	2963	3076

*Schedule (b), above, shall be in effect should the City's General Fund revenue increase more than 3% for the year 2000 over the 1999 General Fund revenue.

Adopted. Yeas, 13; Nays none

Passed June 25, 1999. J. Cherryhomes, President of Council.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **ZONING & PLANNING** Committee submitted the following reports:

Z&P – Your Committee, having under consideration the petition of the Minneapolis Community Development Agency (Vac #1268) to vacate the alley in the block bounded by 9th and 10th Sts S, LaSalle Av and Nicollet Mall to permit site assembly for the proposed Target store and municipal parking garage, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 264960 and to grant said vacation, subject to retention of easement rights by Minnegasco, NSP, Paragon Cable and US West.

Your Committee further recommends passage of the accompanying resolution vacating said alley in the block bounded by 9th and 10th Streets, LaSalle Av and Nicollet Mall, and summary publication of same.

Lost. Yeas, 8; Nays, 5 as follows:

Yeas – Johnson, Thurber, Ostrow, Campbell, Biernat, Colvin Roy, Herron, Cherryhomes.

Nays – Lane, McDonald, Niland, Goodman, Mead.

(9 aye votes required for passage of the above report.)

Mead moved to reconsider the above report. Seconded.

Adopted upon a voice vote.

Niland moved to refer the above report back to the Zoning & Planning Committee. Seconded.

Adopted upon a voice vote.

Cherryhomes directed the City Attorney to prepare a legal opinion, prior to it being considered in the Zoning & Planning Committee, relating to the effect of possible non-passage of the above report.

Z&P – Your Committee, having under consideration the petition of Michael Finn and Howard Weisskopf (Vac #1269) to vacate a portion of an alley within Haymarket Second Addition and adjacent to Registered Land Survey No. 1313 to permit employee and customer parking for the existing Ragstock store at 830 N 7th St, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 264960 and to grant said vacation, subject to retention of easement rights by NSP and US West.

Your Committee further recommends passage of the accompanying resolution vacating said portion of an alley within Haymarket Second Addition and adjacent to Registered Land Survey No. 1313, and summary publication of same.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 99R-227, entitled "Vacating a portion of an alley within Haymarket Second Addition and adjacent to Registered Land Survey No. 1313 (Vac #1269)," was passed June 25, 1999 by the City Council and approved June 28, 1999 by the Mayor. The full text of the resolution is available for inspection by the public in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 99R-227
By McDonald**

Vacating a portion of an alley within Haymarket Second Addition and adjacent to Registered Land Survey No.1313 (Vac #1269).

Resolved by The City Council of The City of Minneapolis:

That all that part of an alley being Easterly and adjacent to Lots 9, 10, 11, and 13, lying in Haymarket Second Addition, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, is hereby vacated except that such vacation shall not affect the existing easement right and authority of NSP and US West, their successors and assigns, to enter upon that portion of the aforescribed alley which is described in regard to each of said corporations as follows, to wit:

As to NSP and US West: All of the to be vacated alley

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to each of the above-named corporations, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said alley upon or within the above-described areas without first obtaining the written approval of the corporations having utility facilities located within the area involved authorizing them to do so.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999. J. Cherryhomes, President of Council.

Approved June 28 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P—Your Committee recommends passage of the accompanying resolution correcting the legal description in Resolution 98R-359 relating to the application of Hillcrest Development for a street vacation. (Petn No 264962)

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 99R-228
By McDonald**

Amending Resolution No 98R-359 entitled "Vacating the Easterly portion of Stinson Boulevard between Traffic Street and Stinson Boulevard (Vac 1245)", passed September 18, 1998.

Resolved by The City Council of The City of Minneapolis:

That the above entitled resolution be amended to correct the legal description by deleting from the first resolving paragraph the words "That all that part of the Westerly portion beyond Lot 10 (56' wide at the South/48' wide at the North) extending from Traffic Street Northeast to Stinson Boulevard" and inserting in lieu thereof the following language:

"That all that part of Stinson Boulevard and Traffic Street as dedicated in the recorded plat of Minneapolis Industrial District, Hennepin County, Minnesota described as follows: Beginning at a point on the west line of Block 13, Minneapolis Industrial District said point being 470.00 feet south of the north line of said Block 13 (as measured at right angles to said north line); thence South 89 degrees 24 minutes 18 seconds West, assumed bearing, and parallel with said north line 48.00 feet; thence South 2 degrees 31 minutes 56 seconds West 49.37 feet; thence South 1 degree 15 minutes 00 seconds West 219.30 feet; thence South 1 degree 07 minutes 18 seconds West 186.50 feet; thence South 64 degrees 45 minutes 39 seconds East 44.22 feet; thence southeasterly a distance of 18.46 feet along a tangential curve concave to the northeast having a central angle of 2 degrees 51 minutes 04 seconds and a radius of 371.07 feet to the intersection with the southerly extension of the west line of said Block 13, thence North 0 degrees 12 minutes 18 seconds East along said west line and its southerly extension a distance of 481.85 feet to said point of beginning,"

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999. J. Cherryhomes, President of Council.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the appeal of Roger Vander Poel (Petr No 264959) from the decision of the Board of Adjustment denying a variance for an increase in the maximum allowable garage size from 676 sq ft to 832 sq ft at 3838 Xerxes Av N to permit the existing garage to be enlarged to 32 ft x 26 ft (V-4481), and having conducted a public hearing thereon, now recommends approval of the appeal to grant a variance to permit a 768 sq ft garage (32 ft x 24 ft) notwithstanding the decision of the Board of Adjustment, in accordance with the Findings of Fact prepared by the City Attorney on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 12; Nays, 1 as follows:

Yeas – Lane, McDonald, Johnson, Thurber, Campbell, Biernat, Niland, Goodman, Colvin Roy, Herron, Mead, Cherryhomes.

Nays – Ostrow.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the appeal of David Pieper from the decision of the Board of Adjustment denying a request for variance of lot area required per dwelling unit from 1500 sq ft to 1457 sq ft to permit a fourth dwelling unit in an existing three-unit building at 2215 Bryant Av S (V-4460), and having conducted a public hearing thereon, now recommends that said appeal be denied and the decision of the Board of Adjustment be upheld; and further, that the Findings required under the Zoning Code, prepared by the Planning Department, and set forth in Petr No 264959 be approved.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the appeal of Michael Trebnick and Sonja Hayden from the decision of the Planning Commission denying an application for a conditional use permit for extended hours from 11:00 p.m. to 1:00 a.m. seven nights a week at Pandora's Cup, 2516 Hennepin Av S (C-1987), and having conducted a public hearing thereon, now recommends that the appeal requesting the

variance be granted, notwithstanding the decision of the Planning Commission, upon the following conditions, all in accordance with the Findings of Fact prepared by the City Attorney and on file in the Office of the City Clerk be made a part of this report by reference:

1. The back door of Pandora's Cup will be closed after 10:00 p.m.;

2. No amplified music will be played after 10:00 p.m.;

3. Signs asking patrons not to park on private property will be posted at the front door and at the cash register; and

4. The site must be brought into compliance with the Site Plan Review approved April 6, 1998, and the improvements must be completed by September 1, 1999.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the roof mounted sign at 945 Broadway which was permitted to be used as an off-premises advertising sign in accordance with Special Council Permit 1992-039 approved April 24, 1992, and having conducted a public hearing to review said sign, now recommends that the sign be ordered removed in accordance with the Findings of Fact prepared by the City Attorney's Office and on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the appeal of Acky-Uptown Limited Partnership, 1430-1444 W Lake St (Petr No 264959) from the decision of the Board of Adjustment denying a variance to allow an office/retail building including a proposed second floor addition (the Rainbow Shops), and a restaurant (the Parasole Restaurant) in an adjacent building to use the Rainbow Shops parking lot as their required parking at different times of day (V-4476), and having conducted a public hearing thereon, now recommends that the appeal requesting the variance be granted upon the following conditions, all in accordance with the

Findings of Fact prepared by the City Attorney's Office and on file in the City Clerk's Office and made a part of this report by reference:

a. Acky-Uptown Limited Partnership must be in compliance with the full site plan review ordinance in effect at the time application is made for building permits for the second floor addition of the Rainbow Shops. If second floor building permits are not applied for by December 30, 2000, Acky-Uptown will have an additional 8 months, until September 30, 2001, to comply with the site plan review ordinance in effect at that time.

b. In the event Parasole Restaurant uses valet parking, it must park such cars in the Rainbow Building parking lot unless an alternate parking location is approved by the Licensing Department.

c. Parasole must validate parking for one hour for patrons using the Rainbow Building lot. Parasole must post the terms of its parking validation policy in the restaurant or on its menu.

d. The only permitted use on the second floor addition of the Rainbow Building is office use.

e. Offices on the second floor addition are not permitted to have regular office hours after 6:00 p.m. on week days nor after 11:00 a.m. on Saturdays and Sundays.

f. If the allocation of parking space changes due to reconfiguration of the lot, changes in use or intensification, the applicant must negotiate reallocation of spaces with the Zoning Department.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the application of Robert Lilligren to rezone property at 2913 through 2919 3rd Av S from R2B to the R3 zoning district to permit a 3-unit residential structure (P-1051), now recommends that said application be approved in accordance with the Findings of Fact prepared by the City Attorney's Office and on file in the City Clerk's Office and made a part of this report by reference. (63955).

Your Committee further recommends passage of the accompanying amendment to the Zoning Ordinance.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 99-Or-075

By McDonald

1st & 2nd Readings: 6/25/99

Amending Title 20, Chapter 536 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 536.20 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

A. All of Lot 8 and the southerly 22.5 feet of Lot 9, Block 3, Duensings Addition to Minneapolis (2913/15 and 2917/19 3rd Av S – Plate 25) to the R3 District.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999. J. Cherryhomes, President of Council.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the application of Gloria Hiner to rezone property at 2516 S 8th St (P-1053), now concurs in the recommendation of the Planning Commission that the findings prepared by the Planning Department and set forth in Petn No 264962 be adopted and that the application be denied.

McDonald moved that the above report be postponed. Seconded.

Adopted upon a voice vote.

Z&P – Your Committee, to whom was referred an ordinance amending Title 20, Chapter 540 of the Minneapolis Code of Ordinances relating to *Zoning Code: Business Districts*, permitting trade or commercial schools as conditional uses in the B2S zoning district, now recommends that the findings prepared by the Planning Department and set forth in Petn No 264960 be adopted and that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends summary publication of the above-described ordinance.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 99-Or-076 amending Title 20, Chapter 540 of the Minneapolis Code of Ordinances relating to *Zoning Code: Business Districts*, amending Section 540.1070 and 540.1120 to permit trade or commercial schools as conditional uses in the B2S Zoning District and requiring off-street parking spaces for such schools, was passed June 25, 1999 by the City Council and approved June 28, 1999 by the Mayor. The full text of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 99-Or-076
By Niland and McDonald

Intro & 1st Reading: 5/7/99

Ref to: Z&P

2nd Reading: 6/25/99

Amending Title 20, Chapter 540 of the Minneapolis Code of Ordinances relating to the Zoning Code: Business Districts.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 540.1070 of the above entitled ordinance be amended by adding thereto a new subdivision (12) to read as follows:

540.1070. Conditional uses. Any use allowed as a conditional use in the B2 Districts shall be allowed in the B2S Districts (unless permitted in section 540.1060) subject to the provisions of Chapter 525, and in addition the following:

(12) Schools - Commercial or trade, subject to the provisions of the performance standards for the M1 District in Chapter 542, Article II and subject further to the following conditions:

(a) Gross floor area shall be less than three thousand (3,000) square feet.

(b) Hours of operation shall be 7:00 AM to 10:00 PM (11:00 PM on Fridays and Saturdays).

(c) Other conditions as the Planning Commission may deem appropriate and provide for under permit.

Section 2. That Section 540.1120 of the above entitled ordinance be amended to read as follows:

540.1120. Off-street parking. Required off-street parking spaces may be located elsewhere in the B2S District if located within three hundred (300) feet of the main entrance of the principal use.

Off-street parking facilities accessory to uses allowed in the B2S Districts shall be provided as required in the B2 Districts, and for additional uses as follows:

Uses allowed in the B2S Districts and occupying more than one hundred (100) square feet shall provide a minimum of four (4) parking spaces but not less than one parking space for each three hundred (300) square feet of gross floor area in excess of four thousand (4,000) square feet except for the following uses:

(1) Automobile service station--One parking space shall be provided for each two (2) employees, plus one space for the owner or manager, but not less than four (4) parking spaces plus two (2) parking spaces for each service stall.

(2) Restaurant--Parking spaces equal in number to thirty (30) per cent of the capacity in persons shall be provided.

(3) Undertaking establishment--Eight (8) parking spaces shall be provided for each chapel or parlor, plus one space for each funeral vehicle maintained on the premises.

(4) Schools commercial or trade - One parking space shall be provided for each two (2) employees, plus one space for each five (5) students, based on the maximum number of students attending classes on premises at any one time during any twenty-four hour period.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999. J. Cherryhomes, President of Council.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the Historic Mills District Master Plan set forth in Petn No 264961, now recommends that the Plan be amended by deleting the Baseball Stadium Alternative, and that the Plan be approved as amended.

Your Committee further recommends that City staff be directed to pursue implementation of the Plan and amendment of the Zoning Code and the Minneapolis Plan, as appropriate.

Your Committee further recommends that the Park Board and Minneapolis Community Development Agency direct their staffs accordingly.

Campbell moved that the above report be amended by deleting from the first paragraph the words, "the Plan be amended by deleting the Baseball Stadium Alternative, and that the Plan be approved as amended" and inserting in lieu thereof the words, "the Plan be approved". Seconded.

Adopted. Yeas, 8; Nays, 5 upon the following roll call vote:

Yeas – Johnson, Thurber, Ostrow, Campbell, Biernat, Colvin Roy, Herron, Cherryhomes.

Nays – Lane, McDonald, Niland, Goodman, Mead.

The report, as amended, was adopted.

Adopted. Yeas, 8; Nays, 5 as follows:

Yeas – Johnson, Thurber, Ostrow, Campbell, Biernat, Colvin Roy, Herron, Cherryhomes.

Nays – Lane, McDonald, Niland, Goodman, Mead.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration a proposed amendment to the Minneapolis Downtown 2010 Plan to expand the primary office district to include the four blocks bounded by 3rd St S, 4th St S, Hennepin Av and 3rd Av S, now recommends that staff be directed to initiate the plan amendment process.

Adopted. Yeas, 9; Nays, 1 as follows:

Yeas – Lane, Johnson, Thurber, Ostrow, Campbell, Biernat, Colvin Roy, Herron, Cherryhomes.

Nays – Goodman.

Declining to Vote – McDonald, Niland, Mead.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

MOTIONS

Niland moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Rae M. Flugge for a residential block event held June 24, 1999, between the hours of 5:30 and 7:30 p.m. on 17th Avenue South between 24th and 25th Streets, having approval granted by the Public Works Department to grant said waiver. Seconded.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Lane moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Mary Moen for a residential block event held June 22, 1999, between the hours of 6:00 and 10:00 p.m. on York Avenue South between 40th and 41st Streets, having approval granted by the Public Works Department to grant said waiver. Seconded.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Mead moved to waive the 60-day filing time as required by Chapter 447 of the Minneapolis Code of Ordinances for applicant Edward Wunsch for the Tangletown Neighborhood Association for a parade to be held Sunday, July 4, 1999, between the hours of 10:30 and 11:00 a.m. on Harriet Avenue South from West 48th to 50th, West 50th from Pleasant to Harriet Avenues South, Gladstone Avenue from Pleasant to Prospect Avenues and on Prospect Avenue from Gladstone to Harriet Avenues, subject to approval granted by the Public Works and the Police departments to grant said waiver. Seconded.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

McDonald moved approval of the application of Chris Heagle, Intermedia Arts, 2822 Lyndale Av S, for a special permit on Sunday, July 4, 1999, to conduct an outdoor music performance from 7:00 to 10:00 p.m. and a fireworks display from 10:00 to 10:30 p.m. to be displayed from the parking lot of "The Egg & I" Restaurant at 2828 Lyndale Av S. (1999 – 089) Seconded.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Campbell moved that the proper City officers be authorized to execute any documents deemed by the City Attorney to be necessary to complete acquisition and clear title to property located at 6036 Stevens Avenue South, which is part of the City's storm water flood mitigation project. Seconded.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION

RESOLUTION 99R-229

By Goodman

Honoring July 12, 1999 as Twin Cities-Wisconsin-Chicago AIDS Ride Day in the City of Minneapolis.

Whereas, Downtown Minneapolis is honored to be the starting point for the Twin Cities-Wisconsin-Chicago AIDS Ride; and

Whereas, the 1999 AIDS Ride will be a six day, 500 mile journey that will raise funds for seven Twin Cities AIDS charities: Agape Home, Archdiocesan AIDS Ministry, Clare House, Grace House, Hope House, Open Arms of Minnesota, and Samaritan House; and

Whereas, in addition four AIDS charities in Wisconsin and six AIDS charities in Chicago are also served by this effort; and

Whereas, this is the fourth annual AIDS Ride from the Twin Cities to Chicago, and over the past three years the Ride has raised \$16 million for these AIDS charities and has had over 5,000 riders and 1,300 volunteer crew members; and

Whereas, this amazing effort not only raises money but also raises awareness, raises spirits, and brings hope to hundreds of thousands of people infected by the HIV/AIDS virus;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That we commend the Twin Cities-Wisconsin-Chicago AIDS Ride organization and the hundreds of riders and volunteers of the 1999 Ride for their dedication and willingness to literally "go that extra mile" to raise funds and awareness for AIDS causes.

Be It Further Resolved that we celebrate July 12, 1999 as Twin Cities-Wisconsin-Chicago AIDS Ride Day in the City of Minneapolis as this date marks the start of the 1999 ride and many remarkable and courageous stories connected to this year's Ride will have their beginning here in Minneapolis.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999. J. Cherryhomes, President of Council.

Approved June 28, 1999. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

UNFINISHED BUSINESS

Septan Inc, 3948 Nicollet Av: Deny appeal for nonconforming use certificate to allow gas station and repair garage, grant appeal for variance. (Postponed 10/30/98, Z&P)

McDonald moved to continue postponement. Seconded.

Adopted upon a voice vote.

Ostrow, Cherryhomes, Campbell, Herron, Thurber, Johnson and Colvin Roy offer a Resolution related to keeping the Twins in Minnesota and a stadium on the downtown riverfront, for referral to the Intergovernmental Relations Committee.

Ostrow moved approval of the following Resolution related to keeping the Twins in Minnesota and a stadium on the downtown riverfront. Seconded.

RESOLUTION

**By Ostrow, Cherryhomes,
Campbell, Johnson, Herron,
Thurber and Colvin Roy**

Keeping the Twins in Minneapolis and a stadium on the downtown riverfront.

Whereas, keeping the Minnesota Twins in the City of Minneapolis is critical to ensuring the City's status as the economic and cultural center of the Upper Midwest Region and every city in the State of Minnesota benefits from the presence of the Minnesota Twins; and

Whereas, the City of Minneapolis is the best location for a Twins stadium and is best able to serve the needs of the Twins and the general public; and

Whereas, the Minnesota Twins currently contribute, at a minimum, \$49 million annually in direct spending, 557 full-time jobs and \$6.5 million in taxes to the state and local economy; and

Whereas, a new stadium will generate \$36 million annually in new spending and create nearly 168 new full-time jobs and 402 construction jobs generating \$12.8 million in taxes; and

Whereas, a new stadium on the Mississippi Riverfront is consistent with the City planning for recreational uses on the riverfront, as identified in the City's comprehensive plan; and

Whereas, an additional 1.1 million fans are expected to enjoy the stadium and downtown Minneapolis, helping to generate an additional \$36 million in direct spending; and

Whereas, the public sector will annually receive \$13.5 million in state and local taxes collected from stadium and team revenues, as well as from additional sales taxes paid by fans who will be eating, shopping, lodging and parking while attending Twins games at the new stadium; and

Whereas, building the new stadium will require a partnership involving the State of Minnesota, Hennepin County, the Minnesota Twins, the regional business community and the City of Minneapolis; and

Whereas, the City's financial contribution to the project shall not exceed \$10 million for site assembly or related expenditures; and

Whereas, the elected officials of the City of Minneapolis believe that any responsible finance plan for the construction of a new stadium must provide for a reasonable return on the public's investment in the event of an increase in the value of the team;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis agrees to be a partner with the State of Minnesota, Hennepin County, the Minnesota Twins and the regional business community in building a new stadium on the banks of the Mississippi River in downtown Minneapolis.

Be It Further Resolved that the City of Minneapolis agrees to contribute land the City owns at the riverfront site for a stadium.

Be It Further Resolved that the City of Minneapolis encourages Hennepin County and the Minneapolis Park and Recreation Board to also contribute the land they own for a new stadium.

Be It Further Resolved that the City of Minneapolis and the Minneapolis Community Development Agency (MCDA) will play an active role in assembling a riverfront site using future revenues generated by users of the facility.

Be It Further Resolved that the City of Minneapolis and the MCDA will participate in any reasonable finance plan for infrastructure that does not utilize or impact the City's future General Obligation or tax-supported bonding programs.

Thurber moved to amend the above Resolution by adding the following Whereas Clause:

"Whereas, the City of Minneapolis commits to negotiate with Hennepin County and the State of Minnesota to dedicate up to 25 million dollars a year to community investments such as affordable housing and job creation." Seconded.

Niland moved to substitute the following Resolving Clause for the above Whereas Clause:

"Be It Further Resolved that if a sales tax is imposed, \$25 million a year will be reserved for affordable housing." Seconded.

Campbell moved that the Council resolve itself into a Committee of the Whole. Seconded.

Adopted upon a voice vote.

The Committee of the Whole convened at 11:55 a.m.

Vice President Biernat assumed the Chair.

Campbell moved that the Committee of the Whole rise and report its findings to the Council relating to the Resolution to keep the Twins in Minnesota and a stadium on the downtown riverfront. Seconded.

Adopted upon a voice vote.

The Council reconvened at 12:14 p.m.

President Cherryhomes resumed the Chair.

Present—Council Members Lane, McDonald, Johnson, Thurber, Ostrow, Campbell, Biernat, Niland, Goodman, Colvin Roy, Herron, Mead, President Cherryhomes.

Lane moved to recess for 10 minutes for the purpose of allowing Council Member Campbell to put into writing a motion to amend the Resolution

relating to keeping the Twins in Minnesota and a stadium on the downtown riverfront. Seconded.

Adopted upon a voice vote.

The Council recessed at 12:20 p.m.

The Council reconvened at 12:35 p.m.

President Cherryhomes resumed the Chair.

Present—Council Members Lane, McDonald, Johnson, Thurber, Ostrow, Campbell, Biernat, Niland, Goodman, Colvin Roy, Herron, Mead, President Cherryhomes.

Campbell moved to substitute a new Resolution for the above Resolution. Seconded.

Niland appealed from the decision of the Chair that a motion to substitute was out of order because it did not substitute the entire text.

Michael Norton, Deputy City Attorney, declared that the operative sections of the resolution are the resolving clauses that Campbell moved to strike.

Upon a voice vote, the decision of the Chair was upheld.

Niland appealed from the decision of the Chair that Campbell's motion was, in effect, a motion to reconsider.

Upon a voice vote, the decision of the Chair was upheld.

Niland moved to amend Campbell's substitute Resolution to add the following Resolving Clause:

"Be It Further Resolved that if a sales tax is imposed as part of a responsible funding plan, \$25 million a year will be reserved for affordable housing." Seconded.

Niland's motion lost. Yeas, 6; Nays, 7 as follows:

Yeas—Lane, McDonald, Niland, Goodman, Herron, Mead.

Nays—Johnson, Thurber, Ostrow, Campbell, Biernat, Colvin Roy, Cherryhomes.

Campbell's motion to substitute was adopted by unanimous consent.

RESOLUTION 99R-230
By Ostrow, Cherryhomes,
Campbell, Johnson, Herron,
Thurber and Colvin Roy

Keeping the Twins in Minneapolis.

Whereas, keeping the Minnesota Twins in the City of Minneapolis is critical to ensuring the City's status as the economic and cultural center of the Upper Midwest Region and every city in the

State of Minnesota benefits from the presence of the Minnesota Twins; and

Whereas, the City of Minneapolis is the best location for a Twins stadium and is best able to serve the needs of the Twins and the general public; and

Whereas, the Minnesota Twins currently contribute, at a minimum, \$49 million annually in direct spending, 557 full-time jobs and \$6.5 million in taxes to the state and local economy; and

Whereas, a new stadium will generate \$36 million annually in new spending and create nearly 168 new full-time jobs and 402 construction jobs generating \$12.8 million in taxes; and

Whereas, an additional 1.1 million fans are expected to enjoy the stadium and downtown Minneapolis, helping to generate an additional \$36 million in direct spending; and

Whereas, the public sector will annually receive \$13.5 million in state and local taxes collected from stadium and team revenues, as well as from additional sales taxes paid by fans who will be eating, shopping, lodging and parking while attending Twins games at the new stadium; and

Whereas, building the new stadium will require a partnership involving the State of Minnesota, Hennepin County, the Minnesota Twins, the regional business community and the City of Minneapolis; and

Whereas, the City's financial contribution to the project shall not exceed \$10 million for site assembly or related expenditures; and

Whereas, the elected officials of the City of Minneapolis believe that any responsible finance plan for the construction of a new stadium must provide for a reasonable return on the public's investment in the event of an increase in the value of the team;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis has a desire to keep professional sports in Minneapolis and will sit down with our partners at Hennepin County, the regional business community and the State of Minnesota to develop a responsible financial plan to accomplish that goal.

Adopted. Yeas, 7; Nays, 6 as follows:

Yeas—Johnson, Thurber, Ostrow, Campbell, Biernat, Colvin Roy, Cherryhomes.

Nays—Lane, McDonald, Niland, Goodman, Herron, Mead.

Passed June 25, 1999. J. Cherryhomes, President of Council.

Approved June 28, 1999. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

NEW BUSINESS

Campbell was granted unanimous consent to introduce an ordinance repealing a portion of Title 19, Chapter 509, of the Minneapolis Code of Ordinances relating to *Water, Sewers and Sewage Disposal: Water*, which was given its first reading.

Campbell was granted unanimous consent that said ordinance be given its second reading for amendment and passage.

**ORDINANCE 99-Or-077
By Campbell**

Intro, 1st & 2nd Readings: 6/25/99

Repealing a portion of Title 19, Chapter 509, of the Minneapolis Code of Ordinances relating to Water, Sewers and Sewage Disposal: Water.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 509.735 of the above-entitled ordinance be and is hereby repealed.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999. J. Cherryhomes,
President of Council.

Approved June 28, 1999. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

Campbell was granted unanimous consent to introduce an ordinance repealing a portion of Title 19, Chapter 511 of the Minneapolis Code of Ordinances relating to *Water, Sewers and Sewage Disposal: Sewers and Sewage Disposal*, which was given its first reading.

Campbell was granted unanimous consent that said ordinance be given its second reading for amendment and passage.

**ORDINANCE 99-Or-078
By Campbell**

Intro, 1st & 2nd Readings: 6/25/99

Repealing a portion of Title 19, Chapter 511 of the Minneapolis Code of Ordinances relating to Water, Sewers and Sewage Disposal: Sewers and Sewage Disposal.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 511.315 of the Minneapolis Code of Ordinances be and is hereby repealed.

Adopted. Yeas, 13; Nays none.

Passed June 25, 1999. J. Cherryhomes,
President of Council.

Approved June 28, 1999. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

Johnson offered an Ordinance amending Title 21, Chapter 588 of the Minneapolis Code of Ordinances relating to *Interim Ordinances: Providing for a moratorium on the establishment, re-establishment or expansion of any automobile service station, automobile convenience facility, garage for the storage, repair or servicing of motor vehicles, or automobile combination convenience facility in any of the B3 zoning districts or in the B-2-S zoning district*, which was given its first reading and referred to the Zoning & Planning Committee (Extending the moratorium 6 months).

Campbell moved to adjourn. Seconded.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Adjourned.

MERRY KEEFE,
City Clerk.
99-5548